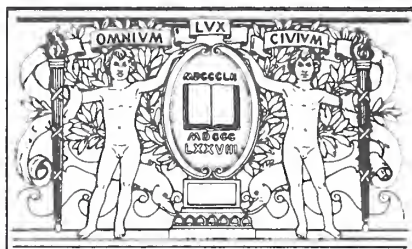


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# REPORTS OF PROCEEDINGS

OF THE

# CITY COUNCIL OF BOSTON

FOR THE YEAR

COMMENCING JANUARY 4, 1927, AND ENDING DECEMBER 31, 1927



CITY OF BOSTON  
PRINTING DEPARTMENT  
1928



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TO THE

## CITY COUNCIL PROCEEDINGS

FOR

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 WEIN, B. M.: for damage to automobile, 370  
 WEINER, BENNY: for damage to property, 231  
 WEISCOPI, A.: for damage to automobile, 375  
 WELCH, BERNARD B.: for damage to automobile, 272  
 WELCH, EDWARD F.: for damage to automobile, 73  
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 CLANCY, ROSE A.: appointed, 298—confirmed, 317  
 COHEN, BENJAMIN H.: appointed, 212—confirmed, 234  
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 LEVINE, ROBERT: appointed, 212—confirmed, 234  
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HOMSY, ALBERT J.: appointed, 162—confirmed, 207  
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KAHN, HARRY: appointed, 264—confirmed, 317  
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MAZUR, NATHAN: appointed, 149—*indefinitely postponed*, 397  
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PAULSON, PETER ELLSWORTH: appointed, 238—confirmed, 261  
PLEPYS, MICHAEL MATTHEW: appointed, 351—*indefinitely postponed*, 397  
REID, WILLIAM JOSEPH: appointed, 32—confirmed, 50  
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RICHMOND, JULIUS: appointed, 379—*indefinitely postponed*, 397  
ROBINSON, WILLIAM H.: appointed, 282—confirmed, 306  
ROCHE, GEORGE: appointed, 264—*indefinitely postponed*, 397  
ROSE, LOUIS M.: appointed 307—*indefinitely postponed*, 397  
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TOBBY, DAVID: appointed, 337—*indefinitely postponed*, 397  
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WEINER, JOSEPH: appointed, 45—confirmed, 61; appointed, 337—confirmed, 359  
WEISS, ABRAHAM S.: appointed, 81—confirmed, 93  
WETAND, WILLIAM J.: appointed, 69—confirmed, 82  
WHITE, CARL F.: appointed, 202—*indefinitely postponed*, 397  
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**Barry playground:** order to erect locker building, passed, 137-message transmitting communication, placed on file, 163, 164; order to install handball courts, passed, 278-message transmitting communication, placed on file, 283

**bathing beach, East Boston:** order for loan of \$150,000 for establishing in the Fourth Section, referred to the committee on finance, 206

**Beacon st., No. 33:** message with communication and order for appropriation of \$50,000-from the Parkman fund, for reconstruction and repairs, referred to the committee on Parkman fund, 351-report accepted, order passed, 377

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**Cabot st. buildings:** order for additional men at baths, passed, 323-message transmitting communication, 327

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**Centre and Bickford sts., Jamaica Plain:** order as to advisability of taking for park purposes, passed, 160-message transmitting communication, placed on file, 173

**Charlestown Heights park:** order to put in suitable conditions and to improve building, passed, 137 -message transmitting communication, placed on file, 163, 164; order as to advisability of constructing a swimming pool, passed, 245-message transmitting communication, placed on file, 267

**children's playground, Charlestown:** order as to advisability and expense of establishing on land bounded by Bunker Hill, Charles and Main sts., passed, 370-message transmitting communication, placed on file, 373

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**Franklin Park:** order to equip and maintain gymnasium in refectory building, passed, 252-message transmitting communication, placed on file, 266

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**Harold park, Ward 12:** order to construct fence, 112, 113-passed, 113

**Head House, South Boston:** order for investigation relative to ex-orbitant charges, passed, 67-message transmitting communication, 71, 72-placed on file, 72; order for repair of pier, passed, 160-message transmitting communication, 172; order to submit list of prices to be charged for refreshments, passed, 232-message transmitting communication, placed on file, 239

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**Orchard park, Ward 8:** order to expend \$5,000 in improving, to be charged to the Parkman fund, passed, 63-message transmitting communication, placed on file, 72

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**playground, Dorchester:** order as to advisability and expense of establishing in area bounded by Dudley st., Howard ave., Harlow and Folsom sts., passed, 371

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**playground, Hyde Park:** order to provide in vicinity of Clarendon Hills, station, passed, 242-message transmitting communication, placed on file, 267

**playground, Readville district:** message with communication and order for transfer of \$200 from special fund, sales of city property, 102, 103-referred to the executive committee, 103-report accepted, order passed, 107

**playground, Ward 8:** order for loan of \$75,000 for playground in South End section, referred to the committee on finance, 323

**playground, Ward 9:** order for establishment, 252-passed, 253-message transmitting communication, placed on file, 266

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**Savin Hill beach:** order to make available for recreation and bathing purposes, passed, 92-message transmitting communication, 101-placed on file, 102

**Schoolhouse ct., Charlestown:** message transmitting order for transfer of land to school committee, for play purposes, 172, 173-referred to the executive committee, 173-report accepted, reference ordered, 178

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**Sullivan sq. playground:** order for erection of concrete handball court, passed, 137-message transmitting communication, placed on file, 163, 164

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 order for transfer of \$15,000 to the park department for Franklin park improvements, 89, 90—referred to the committee on Parkman fund, 90—report accepted, order passed, 179  
 message with communication and order for transfer of \$92,000 to the park department, 230, 231—referred to the committee on Parkman fund, 231—report accepted, order passed, 279  
 message submitting communication and order for transfer of \$54,500 to the park department, 307, 308—referred to the committee on Parkman fund, 308—report accepted, order passed, 324  
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**Beacon st., No. 33:** message with communication and order for appropriation of \$50,000 for reconstruction and repairs, referred to the committee on Parkman fund, 361—report accepted, order passed, 377

**Parkman Street, Ward 16.**

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**ambulance service:** message transmitting communication in relation to including sum in budget estimates, placed on file, 181

**commendation of city council:** resolution commending the police department for its efficient assistance at reception to Col. Charles A. Lindbergh, adopted, 277

**compensation of police officers:** order to arrange for meals during present emergency, passed, 290

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**enforcement of ordinance:** order to enforce provisions of section 40, of chapter 39, passed, 305-message transmitting communication, placed on file, 310

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**semaphore:** order to place at Fay sq., Charlestown, passed, 63-message transmitting communication, placed on file, 81

**silent policeman:** order to install at junction of St. Alphonsus and Smith sts., Ward 10, passed, 178-message transmitting communication, placed on file, 213

**traffic officer:** order to assign to intersection of Washington and Park sts., Dorchester, passed, 54-communication regarding, placed on file, 73; order to assign at Eggleston sq., Ward 11, passed, 86-message transmitting communications, placed on file, 102; order to assign at Brigham circle, Ward 10, passed, 287-message transmitting communications, placed on file, 310; order to assign at John Eliot sq., Ward 9, passed, 364-message transmitting communications, 373, 374-placed on file, 374

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**Pollution of Water.** (See Health Department.)**Pond Street, Ward 7.**

order to designate as a one-way street for northbound traffic, from East Cottage st. to Columbia rd., passed, 226-message transmitting communication, 238, 239-placed on file, 239

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**Port Differentials.** (See Boston Port Differentials.)**Port of Boston.****conference:**

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**publicity:**

order to include in budget sum sufficient for advertising and publicity, passed, 75

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**Pratt Street, Ward 21.**

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**Pre-Holiday Pay-roll.** (See City Employees.)**Prentiss Street, Ward 9.**

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**Prescott Square.**

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**Prices Charged at Head House, South Boston.** (See Park Department, Head House, South Boston.)**Prices for Refreshments.** (See Park Department, Head House, South Boston.)**Prices to be Charged for Park Concessions.** (See Park Department.)**Printing Department.**

**appropriation:** order for \$10,000-from income, for moving expenses, referred to the executive committee, 327-report accepted, order passed, 332

**Boston year book:** order to print, referred to the executive committee, 203-report, with amendment, accepted, order passed, 206

**Prisons, Inspection of.****report:**

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**Protection of Children at Lamartine Street Yard.**

order to take necessary steps for protection of children, passed, 278-message transmitting communication, placed on file, 310

**Providence Street, Ward 4.**

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**Public Buildings Department.**

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**City Hall:** order to close on Good Friday between 12 and 3 p. m., passed, 132; order to install electric or self-operating elevators, passed, 177

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**convenience station, Codman sq.:** report on order for loan of \$15,000 for construction, recommended to committee on finance, 145-given first reading and passage, 153-given final reading and passage, 178, vetoed, placed on file, 212

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- municipal building, South Boston:** order to lease room to Thomas J. Fitzgerald Post 561, referred to the committee on public lands, 204-report accepted, order read once and passed, 228, 229-order given final reading and passage, 244-vetoed, 265
- municipal building, Ward 11:** order for loan of \$500,000-referred to the committee on finance, 51-report accepted, order passed, 100-given second reading and passed, 116; order for loan of \$500,000-vetoed, 120
- municipal building, Ward 14:** order for loan of \$500,000-referred to the committee on finance, 51-report accepted, order passed, 85-given second reading and passed, 106; order for loan of \$500,000-vetoed, 120
- municipal building, Washington and Norfolk sts., Dorchester:** order to lease one room to Dorchester Post, No. 498, Veterans of Foreign Wars, referred to the committee on public lands, 83-report accepted, order passed, 129-given final reading and passage, 143
- old Dorchester courthouse, Ward 15:** order to assign rooms for use of baby clinic, passed, 201-message transmitting communication, 212, 213-placed on file, 213
- old station 2 building, City Hall ave.:** order for estimate of cost of placing in suitable condition for occupancy by police department, passed, 127-message with communication, placed on file, 130; order as to transferring to police department, passed, 127-message with communication, placed on file, 130.
- quarters of Mahoney Post, West Roxbury:** order to place in suitable repair, passed, 128-message transmitting communication, placed on file, 172
- transfer:** message with order for transfer of \$353.88 from Faneuil Hall building to Courthouse, Dorchester, referred to the executive committee, 270-report accepted, order passed, 279-passed, 292
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- expenses of reception to aviators:** order to submit account, referred to the executive committee, 287
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Public Landing, City Point.

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Public Lands.

- committee:** order to increase committee to seven members, referred to the committee on rules, 79
- adjoining Forest Hills Cemetery:** message with preambles and order for conveyance to Forest Hills Cemetery, 59, 60-referred to the committee on public lands, 60-report accepted, order passed, 279, 280-passed, 292
- Amory st., No. 276, Jamaica Plain:** message with order licensing the Jamaica Plain Neighborhood Association to build over sewer easement, 320, 321-referred to the committee on public lands, 321

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- Dorchester ave., No. 285, South Boston:** message with order licensing the Hedge & Mattheis Company to build over sewer easement, referred to the committee on public lands, 321-report accepted, order passed, 365, 366-given final reading and passage, 383
- Main st., Charlestown:** message transmitting communication and order for sale of part of Charlestown playground, 326, 327-referred to the committee on public lands, 327-report accepted, given first reading and passage, 365-given final reading and passage, 378
- Manning st., corner of Berry st., West Roxbury:** message with communication and order for sale, referred to the committee on public lands, 361
- Spring st., West Roxbury:** message with order for lease, to the United States of America, of land and buildings, known as the West Department of the Boston City Hospital, referred to the committee on public lands, 215-report accepted, order passed, 244-passed to a second reading, 253
- Thatcher st., Hyde Park:** message with order for sale at public auction, referred to the committee on Public Lands, 337
- Tremont st. and Warrenton pl.:** preambles and order for disclaimer to Ira W. Shapiro, trustee, 26-given first reading and passed, 26-given final reading and passed, 50, 51
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**appropriation:** message with order for appropriation of \$1,730,000-referred to the committee on appropriations, 131-report accepted, order passed, 144

Public Works Department.

- board walk, Parker Hill ave., Ward 10:** order to replace, passed, 64
- bridge and ferry division:**
- ASHLAND STREET BRIDGE:** message with communication, preambles and order as to opinion of Department of Public Utilities, regarding necessary alterations, referred to the executive committee, 162-report accepted, order passed, 171
- COLUMBUS AVENUE BRIDGE:** message submitting communication with preambles and order for decision of department of public utilities and of the corporation counsel, referred to the executive committee, 174-report accepted, order passed, 178-message with communication and order for loan of \$85,000, 372, 373-referred to the executive committee, 373-report accepted, order read once and passed, 377-given final reading and passage, 397
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- FERRY TOLLS:** message submitting communication and order for increase, 352, 353-referred to the executive committee, 353-report accepted, reference ordered, 365
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- MORTON STREET BRIDGE:** order as to provision being made for widening, passed, 136; preamble and order regarding necessity of alterations, also legal proceedings necessary, 176, 177-referred to the executive committee, 177-report accepted, order passed, 178
- TRANSFER:** message with order for transfer of \$10,000 from the Massachusetts ave. bridge to the Broadway bridge, referred to the executive committee, 16-report accepted, given first reading and passed, 21, 22-given second reading and passed, 38
- buildings in city yards on Albany st.:** order to replace with modern fireproof building, 113, 114-passed, 114
- buildings in city yard, Rutherford ave.:** order to demolish and replace with modern fireproof building, passed, 92-message transmitting communication, placed on file, 121
- cleaning streets:** order as to advisability of giving temporary employment to one thousand men, passed, 127
- Columbus ave.:** order for closing, passed, 177
- connection between Archdale rd. and Ashmore st.:** order for estimate of cost, under New York, New Haven and Hartford Railroad, passed, 314-message transmitting communication, placed on file, 343
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**electric light rates:** order to advise the City Council regarding, 292-293-passed, 293

**Elven rd.:** order for estimate of cost of extending to Hyde Park ave., passed, 358-message transmitting communication, 360, 361-placed on file, 361

**hearings:**  
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on collection of garbage and installation of incinerators, passed, 178  
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**ice for drinking fountains:** message with communication and order for \$6,000 to be charged to the reserve fund, referred to the executive committee, 215-report accepted, order passed, 227

**John Eliot sq.:** order for removal of watering trough, passed, 365

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**ANAWAN AVE. AND ALLENWOOD ST., WEST ROXBURY:** order for arc light at corner, passed, 203  
**BELLEVUE ST., DORCHESTER:** order to install arc lights, passed, 235-message transmitting communication, 300, 301-placed on file, 301  
**CHEROKEE AND PONTIAC STS., WARD 10:** order for electric arc light passed, 87  
**CODMAN PARK, WARD 11:** order to install electric arc lamp in front of No. 58, passed, 113  
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**DORCHESTER AVE., No. 1840:** order to install arc lamp, passed, 76  
**FATHER BUCKLEY PLAYGROUND:** order to install arc lights, passed, 20-message transmitting communications, placed on file, 165  
**FOREST HILLS AND WASHINGTON STS., WARD 11:** order to install electric arc lamp at junction, passed, 245  
**FOURTH ST., WARD 6:** order to install arc lamps, passed, 348  
**FRANKLIN FIELD:** order to install electric arc lamps, passed, 14-message with communication, placed on file, 35  
**G AND FIFTH STS., SOUTH BOSTON:** order to install arc light, passed, 53  
**GLEN AND GLENDALE STS., DORCHESTER:** order to install arc light at corner, passed, 323  
**GROSVENOR PL., WARD 12:** order to replace gas lamp with electric street lights, passed, 281  
**HYDE PARK AVE., WARD 18:** order to install arc lights, passed, 203-message transmitting communication, placed on file, 299  
**MAYWOOD ST., WARD 12:** order to install electric arc lamp, passed, 252  
**MICHIGAN AVE. AND ERIE ST., WARD 14:** order to install electric arc lamp, passed, 14  
**NORFOLK ST., WARD 9:** order to install electric arc lamp opposite Nos. 47-51, passed, 347  
**ROSEMONT ST., WARD 18:** order for incandescent lamps in front of Trescott School, passed, 128  
**ROXBURY:** order to include in budget sum sufficient to improve lighting system, referred to the executive committee, 63-report accepted, order in amended form, passed, 63, 64  
**St. BOTOLPH ST.:** order to install boulevard system of street lighting, between West Newton st. and Massachusetts ave., passed, 245  
**TALBOT AVE. AND BLUE HILL AVE., WARD 14:** message transmitting communication regarding electric arc lamp at corner, 269  
**TREMONT ST., WARD 9:** order to include in budget sum sufficient to install "White Way" lighting system, passed, 347  
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**WEST SELDEN AND CROSSMAN STS., WARD 18:** order to install arc light on corner, passed, 251-message transmitting communication, placed on file, 300  
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**Morton st. improvement:** see Street Laying-Out Department  
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**motor vehicle storage:** order for report as to amount paid for storage in garages not owned by city, passed, 74-message transmitting communication, placed on file, 121

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**paving service:**  
**ABBOTSFORD ST., WARD 12:** order for smooth paving, passed, 82  
**ALEXANDER ST., DORCHESTER:** order to include in budget a sum sufficient for smooth pavement, passed, 366-message transmitting communication, placed on file, 388  
**ASHMONT ST., WARD 16:** order for smooth paving, passed, 53  
**ATHERTON ST., WARD 11:** order for smooth paving, passed, 335-message transmitting communication, placed on file, 341  
**BEECH GLEN ST., WARD 11:** order for smooth paving, passed, 62  
**BILLERICA ST., WARD 3:** order for smooth paving, passed, 305-message transmitting communication, placed on file, 340  
**BLUE HILL AVE.:** order for loan of \$50,000 for repaving, from Seaver st. to Talbot ave., referred to the committee on finance, 304  
**BLUE HILL AVE., WARD 14:** order for smooth paving, passed, 203  
**BORDER ST., EAST BOSTON:** order to include in budget a sum sufficient to repave, passed, 316, 318-message transmitting communication, placed on file, 340  
**BOWER ST., WARD 12:** order for smooth paving, passed, 106  
**BROADWAY, SOUTH BOSTON:** order to repave with smooth paving, 226, 227-passed, 227  
**CEYLON ST., DORCHESTER:** order to include in budget a sum sufficient for smooth pavement, passed, 366-message transmitting communication, placed on file, 388  
**CHAPMAN ST., CHARLESTOWN:** order to repave, passed, 245  
**CHESTNUT AVE., WARD 10:** order for smooth paving, passed, 323-message transmitting communication, placed on file, 341  
**CORNWALL ST., WARD 11:** order for smooth paving, passed, 28  
**D ST., SOUTH BOSTON:** order for smooth paving, passed, 106  
**DEVON ST., WARD 14:** order for smooth paving, passed, 252  
**DUDLEY ST., WARD 8:** order for smooth paving, passed, 20  
**E ST., SOUTH BOSTON:** order for smooth paving, passed, 92; message transmitting communication placed on file, 121  
**EAST CANTON ST., WARD 8:** order for smooth paving, passed, 304-message transmitting communication, placed on file, 343  
**EAST COTTAGE ST., WARD 7:** order for smooth paving, passed, 76  
**EAST COTTAGE ST., WARD 8:** order for smooth paving, passed, 63  
**EAST DEDHAM ST., WARD 8:** order for smooth paving, passed, 304-message transmitting communication, placed on file, 343  
**EAST EIGHTH ST., SOUTH BOSTON:** order for smooth paving, passed, 53  
**EAST SECOND ST., SOUTH BOSTON:** order for smooth paving passed, 178  
**ELLINGTON ST., WARD 14:** order for smooth paving, passed, 252  
**ERIE ST., WARD 14:** order for smooth paving passed, 14, 252  
**F ST., WARD 6:** order for smooth paving, passed, 204, 305-message transmitting communication, placed on file, 339  
**F ST., SOUTH BOSTON:** order to repave with smooth pavement, passed, 215, 252-order for report on repaving, passed, 290-message transmitting communication, placed on file, 299  
**FALCON ST., WARD 1:** order for smooth paving, passed, 305-message transmitting communication, placed on file, 343  
**FLORENCE ST., WARD 19:** order for smooth paving, passed, 348-message transmitting communication, placed on file, 388  
**FORBES ST., WARD 10:** order for smooth paving, passed, 324-message transmitting communication, 341  
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**FRONT ST., WARD 2:** order for smooth paving, passed, 293-message transmitting communication, placed on file, 298  
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**HAROLD ST., WARD 12:** order for smooth paving, passed, 19  
**HARRISON AVE., WARD 8:** order for smooth paving, passed, 20, 304-message transmitting communication, placed on file, 343  
**HARVARD ST., WARD 9:** order for smooth paving, passed, 315-message transmitting communication, placed on file, 342  
**HIGHWAYS, BRIGHTON:** order for usual cleaning and repairs, passed, 206  
**HYDE PARK AVE., WARD 18:** order for smooth paving, passed, 61; order to remove car tracks and resurface with smooth paving, passed, 61  
**I ST., SOUTH BOSTON:** order for smooth paving, passed, 134  
**K ST., WARD 6:** order for smooth paving, passed, 317-message transmitting communication, placed on file, 342  
**LAMBERT AVE. WARD 9:** order for smooth paving, passed, 315-message transmitting communication, placed on file, 342  
**LAMBERT ST., WARD 9:** order for smooth paving, passed, 315-message transmitting communication, placed on file, 342  
**LEXINGTON ST., WARD 1:** order for smooth paving, passed, 86

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MAPLE ST., WARD 12: order for smooth paving, passed, 19

MARCELLA ST., WARD 11: order for smooth paving, passed, 79

MAYWOOD ST., WARD 12: order for smooth paving, passed, 62

MORELAND ST., WARD 12: order for smooth paving, passed, 323—message transmitting communication, 339

O ST., SOUTH BOSTON: order for smooth paving, passed, 178

O ST., WARD 6: order for smooth paving, passed, 277

PARK ST., WARD 17: order to repave with smooth paving, passed, 175

PRENTISS ST., WARD 9: order for smooth paving, passed, 306—message transmitting communication, placed on file, 340

PROVIDENCE ST., WARD 4: order for smooth paving, passed, 349—message transmitting communication, 388, 389—placed on file, 389

RAY ST., WARD 9: order for smooth paving, passed, 315—message transmitting communication, placed on file, 342

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RUTHERFORD AVE., CHARLESTOWN: order to repave, passed, 245

SCHOOL ST., WARD 11: order for smooth paving, passed, 287

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SHERMAN ST., WARD 12: order for smooth paving, passed, 204

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ST. ALPHONSUS ST., WARD 10: order for smooth paving, passed, 332—message transmitting communication, placed on file, 342

SUNNER ST., EAST BOSTON: order to include in budget a sum sufficient to repave, passed, 316, 318—message transmitting communication, placed on file, 340

TEMPLETON ST., WARD 16: order for smooth paving, passed, 76

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WALNUT PARK RD., WARD 11: order to repave with smooth paving, passed, 167

WARD ST., WARD 9: order for smooth paving, passed, 306—message transmitting communication, placed on file, 340

WASHINGTON ST.: order to repave with smooth paving, passed, 221

WASHINGTON ST., WARD 11: order for smooth paving, passed, 79

WEST CANTON ST., WARD 9: order for smooth paving, passed, 207

WEST EIGHTH ST., SOUTH BOSTON: order for smooth paving, passed, 53

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WEST SPRINGFIELD ST., WARD 9: order to repave with smooth paving, passed, 207

WEST THIRD ST., SOUTH BOSTON: order for smooth paving, passed, 92—message transmitting communication, placed on file, 121—order for report on repaving, passed, 290—message transmitting communication placed on file, 299—message transmitting communication, 340, 341—placed on file, 341

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WIGGLESWORTH ST., WARD 10: order to repave with smooth paving, passed, 332—message transmitting communication, placed on file, 341

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WINTHROP ST., ROXBURY: order for smooth paving, passed, 220

WOODSIDE AVE., WARD 11: order for smooth paving, passed, 335—message transmitting communication, 341, 342—placed on file, 342

WORTHINGTON ST., WARD 10: order for smooth paving, passed, 332—message transmitting communication, placed on file, 341

WYMAN ST., WARD 10: order for smooth paving, passed, 324—message transmitting communication, 339

Pond st. WARD 7: order to lay curbing, passed, 291—message transmitting communication, placed on file, 298

**resurfacing streets, orders for:**

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Bunker Hill st., Charlestown, passed 317—message transmitting communication, placed on file, 342

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**resurfacing and widening streets:**

WELD ST., WEST ROXBURY: order for estimate of cost, passed, 290—message transmitting communication, 327, 328—placed on file, 328

**sale of Welsh coal screenings:** message transmitting communication and order to sell by the supply department, referred to the executive committee, 103—report accepted, amended order passed, 107—vetoed, placed on file, 110

**sewer and sanitary division:**

CATCH-BASINS, WARD 10: order for cleaning, passed, 200—message transmitting communication, placed on file, 213

COLLECTION OF ASHES AND GARBAGE: order for appointment of committee to investigate system, passed, 20; communication from finance commission, 105, 106—placed on file, 106; order as to semi-weekly collections, passed, 205—message transmitting communication, placed on file, 230; order for termination of contract in Dorchester district, referred to the executive committee, 315—report, accepted, order passed, 317; order for immediate removal from streets of WARD 8, referred to the executive committee, 323—report accepted, order passed, 324—message transmitting communication, placed on file, 338; order for cancellation of contract with the D. M. Biggs Company, in Dorchester district, 376—referred to the executive committee, 377, report on order, 377; order regarding contract for 1928 in Dorchester district, 386—passed, 387

DIVISION ENGINEER: certificate of appointment of Thomas F. Bowes placed on file, 9

INCINERATORS: order regarding installation of incinerators for disposal of refuse, referred to the executive committee, 177—report accepted, order in new draft, passed, 178

LOAN: message submitting communication and order for loan of \$1,000,000—referred to the committee on finance, 9—motion to refer to the executive committee, withdrawn, 38—report accepted, order passed, 65—given second reading and passed, 74

REMOVAL OF RUBBISH: order for, in WARD 10, passed, 323—message transmitting communication, placed on file, 338

WOODBRIER RD., WEST ROXBURY: order to construct sewer, passed, 278

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order for erection of concrete handball court, passed, 137-message transmitting communication, placed on file, 163, 164

**Sullivan, Thomas F.**

notice of appointment as transit commissioner, placed on file, 175-approved by civil service commission, placed on file, 203-designated chairman of transit commission, placed on file, 219

**Sumner Street, East Boston.**

order to include in budget a sum sufficient to repave, passed, 316; message transmitting communication, placed on file, 340

**Sunnyside Street, Ward 10.**

sidewalk: order for construction, passed, 243

**Supply Department.**

**salary of superintendent:** message transmitting amendment to ordinance, referred to the committee on ordinances, 216-report accepted, ordinance passed, 255



**Supply Department, continued.**

sale of Welsh coal screenings: message transmitting communication and order to sell, referred to the executive committee, 103-report accepted, amended order passed, 107-vetoed, placed on file, 110

**Sydney Street, Dorchester.**

order as to cost of extending to Mt. Vernon st., passed, 383

**Sydney Street, Ward 13.**

sidewalks: order for construction, Nos. 163-167 and 171-173, edge-stone only, passed, 331

**Talbot Avenue and Blue Hill Avenue, Ward 14.**

message transmitting communication regarding installing electric arc lamp at corner, placed on file, 269

**Talbot Avenue, Ward 17.**

sidewalks: order for construction, between Codman sq. and Peabody sq., passed, 109

**Tappan Street.**

sidewalk: order for construction (edgestones only), Nos. 23, 25, 27, 30, 32, passed, 322

**Tax Rate.**

report on, 312, 313, 314-placed on file, 314

**Templeton Street, Ward 16.**

order to reset curbstones, install granolithic sidewalks and smooth paving, passed, 76

**Temporary Employment. (See Public Works Department, Cleaning Streets.)****Temporary Loan in Anticipation of Taxes. (See Loans.)****Temporary Trestle, Belle Isle Inlet.**

notice of hearing on application of Coleman Disposal Company for license to build, placed on file, 330

**Tenean Beach. (See Park Department.)****Thatcher Street, Hyde Park.**

message with order for sale at public auction, referred to the committee on public lands, 337

**Thatcher Street, Ward 18.**

sidewalk: order for construction, from Hyde Park ave. to Metropolitan ave., passed, 291

**Third Street, Ward 6.**

order to repave with smooth paving from B st. to Dorchester st., passed, 167

**Thomas J. Fitzgerald Post, Veterans of Foreign Wars.**

order for fire department to provide quarters at Dorchester and Fourth sts., South Boston, passed, 167-message transmitting communications, 181, 182-placed on file, 182

order to lease room in municipal building, South Boston, referred to the committee on public lands, 204-report accepted, order read once and passed, 228, 229-order given final reading and passage, 244-vetoed, 265

**Topliff Street, Ward 15.**

sidewalk: order for construction, in front of No. 53, passed, 306

**Track Locations.**

see Boston Elevated Railway Company

see Quincy Market Cold Storage and Warehouse Company

see Walworth Manufacturing Company

**Traffic Advisory Board.**

members of board: Fitz-Henry Smith, Jr., William A. Fisher, Prof. William B. Munroe, Day Baker, Alton E. Briggs, Albert J. Caulfield, Edward Dana, Sydney S. Dean, Thomas F. Goode, Joseph J. Hunt, Gifford LeClear, George W. Mitton, William S. Parker, James M. Rothwell, Frank Sawyer, Frank S. Deland, appointed, 7

appropriation: message with order for appropriation of \$25,000, to be charged to the reserve fund, referred to the executive committee, 7-report accepted, order rejected, 21; message with order for appropriation of \$25,000-to be charged to the reserve fund, referred to the executive committee, 24-no further action necessary, 40-new order substituted, referred to the executive committee, 32-report accepted, order passed, 40

checkers: order to hire citizens of Boston only, passed, 92

**Traffic Officer. (See Police Department.)****Traffic Post. (See Police Department.)****Traffic Regulations. (See Street Laying-Out Department.)****Train Street and Victory Road, Ward 16.**

order to install arc light at corner, passed, 83-message transmitting communication, placed on file, 269

**Train Street, Ward 16.**

sidewalks: order for construction, Nos. 181, 183, 184, passed, 330

**Transfer of Books to Harvard College.**

order to furnish the city council with copy of agreement, passed, 27; order as to legality of transfer, passed, 27; message transmitting communications regarding, 45, 46, 47, 48-ordered printed and referred to the committee on branch libraries, 49

**Transit Commission.**

commissioners: Thomas F. Sullivan, Nathan A. Heller and James B. Noyes appointed, 175

chairman: Thomas F. Sullivan designated, 219

Dorchester tunnel street work: order to properly repair streets excavated incident to construction of Dorchester tunnel, 330, 331-passed, 331-message transmitting communication, placed on file, 344

poles of Edison Electric Light Company: order to revise instructions as to complete removal to adjacent property, referred to the executive committee, 315-report accepted, order passed, 317-message transmitting communication, placed on file, 327

roadway over Shawmut branch extension: order requesting information regarding investigation of expense of constructing, passed, 53; order to appoint committee to investigate the advisability, practicability and additional expense of constructing, 53-referred to the committee on rules, 54-report accepted, order passed, 65; order regarding result of investigation as to expense of construction, referred to the executive committee, 82-report accepted, order passed, 84-message regarding investigation by street laying-out department, placed on file, 88

Shawmut branch extension: order requesting names and addresses of bidders for construction, referred to the executive committee, 82-report accepted, order passed, 84

**Tremont Street Improvement. (See Street Laying-Out Department.)**

**Tremont Street, Ward 4.**

sidewalks: order for construction, from Lenox st. to Camden st., 291, 292-passed, 292

**Tremont Street, Ward 9.**

order to include in budget sum sufficient to install "white way" lighting system, passed, 347

**Tremont Street, Ward 22.**

sidewalks: schedule, passed, 75

**Trimming of Trees.** (See Park Department.)**Tuttle Street, Ward 13.**

sidewalk: order for construction, 177, 178-passed, 178

**Tyndale Street, Ward 20.**

sidewalk: order for construction, from No. 138 to Guernsey st., passed, 252

**Unclaimed Baggage.**

see Boston and Maine Railroad

see New York, New Haven and Hartford Railroad

**Unemployment.**

additional work, Navy Yard: order requesting that more ships be sent to Navy Yard to relieve unemployment conditions, passed, 229

conditions: message regarding conditions, 72, 73-referred to the executive committee, 73-report accepted, message placed on file, 84, 85

work for unemployed: order regarding contemplated work started forthwith in order to provide work, passed, 51; preambles and resolve to appoint committee to draft program of public work for relief, referred to the committee on unemployment, 221

**Unemployment, Committee on.** (See Committee on Unemployment.)**Unfinished Business of 1927.**

order to refer to city council of 1928, passed, 398

**Unlicensed Dogs.**

notice of issuance of warrant to kill, placed on file, 251

**Use of West Newton Street.** (See Street Laying-Out Department.)**Valentine Street, Ward 11.**

order for smooth paving, passed, 28

**Van Winkle Street Passageway.**

order to construct beneath railroad tracks, passed, 289

**Vendors.** (See Licenses.)**Victory Road Dump.**

order to remove the fire menace, 132-passed, 133; communication regarding, placed on file, 133

**Wales Place, Dorchester.**

order to accept and lay out, passed, 178

**Walnut Park Road, Ward 11.**

order to repave with smooth paving, passed, 167

**Walpole Street, Ward 9.**

sidewalks: schedule, passed, 111

**Walworth Manufacturing Company.**

notice of hearing on petition to construct track across C st., South Boston, placed on file, 111

**Ward, Michael J., Councilor.****orders and resolves:**

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establishment of traffic post, Shawmut ave. and Ruggles st., 252  
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**Ward Street, Ward 9.**

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**Wardroom, Ward 3.** (See Public Buildings Department.)**Warren Street, Brighton.**

order to widen, from Cambridge st. to Commonwealth ave., passed, 53



**Warren Street, Ward 12.**

**sidewalk:** order for construction, from Waverly st. to Clifford st., passed, 52

**Washington and Forest Hills Streets, Ward 11.**

order for arc light at corner, passed, 129—message transmitting communication, placed on file, 269

**Washington Street and Metropolitan Avenue, West Roxbury. (See Public Lands.)****Washington Street.**

order to repave with smooth paving, from Massachusetts ave. to Dover st., passed, 221

**Washington Street, Dorchester.**

order to resurface, passed, 112  
order to establish building line on easterly side at intersection with Columbia rd., passed, 142

**Washington Street, Ward 11.**

order to repave with smooth paving, from Egleston sq. to Forest Hills, passed, 79

**Washington Street, Ward 17.**

**sidewalks:** order for construction, from No. 755 to Armandine st., passed, 287

**Washington Street, Ward 22.**

**sidewalk:** order for construction, along Nos. 358 and 360, passed, 349

**Water Division. (See Public Works Department.)****Weld Street, West Roxbury.**

order for estimate of cost of widening and resurfacing, passed, 290—message transmitting communication, 327, 328—placed on file, 328

**Wellington Hill Land.**

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**Werner, Charles L.**

notice of appointment as first assistant assessor, placed on file, 122

**Westbourne Road, Ward 19.**

order to accept and lay out, between Northbourne rd. and Southbourne rd., passed, 357

**Westbourne Terrace, Ward 19.**

order to accept and lay out, between Bourne st. and Westbourne rd., passed, 357

**West Brookline Street, Buildings.**

order for additional men at baths, passed, 323—message transmitting communication, placed on file, 327

**West Canton Street, Ward 9.**

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**West Eighth Street, South Boston.**

order for smooth paving, from E st. to Dorchester st., passed, 53

**West Fourth Street, Ward 6.**

order to repair with smooth paving from Dorchester ave. to Dorchester st., passed, 364—message transmitting communication, placed on file, 389

**Westminster Road, Ward 11.**

order to accept and lay out, passed, 87; message transmitting communication, placed on file, 101

**West Newton Street.**

order regarding use of any part for parking purposes, 116—passed, 117—message transmitting communications, placed on file, 202

**West Selden and Crossman Streets, Ward 18.**

order to install arc light on corner, passed, 251—message transmitting communication, placed on file, 300

**West Springfield Street, Ward 9.**

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**West Third Street, South Boston.**

order to repave with smooth paving, from B st. to Dorchester st., passed, 92—message transmitting communication, placed on file, 121—order for report on repaving, passed, 290—message transmitting communication, placed on file, 299—message transmitting communication, 340, 341—placed on file, 341

**West Tremlett Street, Ward 17.**

**paving:** order to repave with smooth paving, from Washington st. to Whitfield st., passed, 142

**sidewalks:** order for construction, passed, 75

**Whiting Street, Ward 12.**

**sidewalk:** order for construction, at No. 41, passed, 291

**Widows' Annuity. (See Annuities.)****Wigglesworth Street, Ward 10.**

order to repave with smooth paving, from Huntington ave. to Tremont st., passed, 332—message transmitting communication, placed on file, 341

**Wilcox Road, Ward 16.**

order to accept and lay out, passed, 133

**William D. Lancaster Square.**

order to so name intersection of Richmond, Sanford and Washington sts., Dorchester, passed, 135

**Williams Street, Ward 11.**

**sidewalks:** order for construction, from opposite Plainfield st. to Washington st., passed, 28

**Williams Street, West Roxbury.**

order to repave with smooth paving, passed, 242

**Willowood Street, Ward 14.**

**sidewalks:** order for construction, from Woodrow ave. to Norfolk st., passed, 166, 305

**Wilson, Robert G., Jr., Councilor.****orders and resolves:**

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**Wilson, Robert G., Jr., Councilor, *continued.*****remarks:**

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**Wood and Bark, Measurers of.**

GEORGE, KENNETH F.: appointed, 264—confirmed, 292  
 WILLIAMSON, ARTHUR: appointed, 360—confirmed, 371

**Woodbrier Road, West Roxbury.**

order to construct sewer, passed, 278

**Woodland Road, River and Tileston Streets, Ward 18.**

order to install incandescent light at junction, passed, 380—message transmitting communication, placed on file, 389

**Woodside Avenue, Ward 11.**

order to repave with smooth paving, passed, 335—message transmitting communication, 341, 342—placed on file, 342

**Woolson Street and Blue Hill Avenue, Ward 14.**

order to install electric arc lamp, passed, 14

**Work for Unemployed. (See Unemployment.)****Worthington Street, Ward 10.**

order to repave with smooth paving from Huntington ave. to Tremont st., passed, 332—message transmitting communication, placed on file, 341

**Wragg, Walter E., Councilor.****orders and resolves:**

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**Wright, Thomas H.**

resolution favoring legislation authorizing payment of annuity, passed, 39

**Wyman Street, Ward 10.**

**resurfacing:** order to resurface, passed, 237

**sidewalks:** orders for construction, passed, 237

**Wyman Street, Ward 10, continued.**

**paving:** order to repave with smooth paving, passed, 324—message transmitting communication, placed on file, 339

**Young, Louise H.**

resolution favoring legislation authorizing payment for injuries received, 52, 53—passed, 53

**Zoning Law.**

message with draft of amendments, referred to the executive committee, 248—report accepted, order passed, 331, 332

**Zottoli, Joseph T.**

appointed overseer of the public welfare, placed on file, 25, 60; notice of approval by civil service commissioners, placed on file, 60







## CITY OF BOSTON.

## Proceedings of City Council.

Tuesday, January 4, 1927.

Special meeting of the City Council, held in the City Council Chamber, City Hall, at one o'clock p. m., President KEENE in the chair and a quorum present.

## JURORS DRAWN.

Jurors were drawn in the manner prescribed by law, the Mayor absent, viz.:

Four additional grand jurors, Superior Criminal Court, to appear January 5, 1927:  
Hyman Godes, Ward 14; Edward F. Maher, Ward 19; Joseph P. Maloney, Ward 19; Bernard J. Norton, Ward 20.

Forty traverse jurors, Superior Criminal Court, First Session, to appear February 7, 1927:

John Cowin, Ward 2; Daniel J. McCarthy, Ward 2; Maurice P. Casey, Ward 3; John F. Nagles, Ward 3; Frank P. Fallon, Ward 4; Walter H. Mahoney, Ward 4; Harry V. Lawrence, Ward 5; George Megrew, Ward 5; Erving P. Morse, Ward 5; Henry A. Morss, Ward 5; Harold T. Sprague, Ward 5; John F. Boland, Ward 6; William F. McCarthy, Ward 6; Patrick J. Sullivan, Ward 6; Peter L. Flaherty, Ward 7; John A. Welch, Ward 7; Alonzo O. Andrews, Ward 8; Roland Butler, Ward 8; Joseph M. McCarthy, Ward 8; Albert J. Worley, Ward 8; John F. Graham, Ward 9; David H. Hill, Ward 9; Charles H. Stone, Ward 9; Otto C. Deininger, Ward 10; Charles H. Hurter, Ward 10; William H. Richards, Ward 10; Heinrich J. Schmitz, Ward 11; William N. Hasson, Ward 12; George C. Hill, Ward 14; William L. Malone, Ward 15; Henry J. Weymouth, Ward 15; Thomas H. Cunnally, Ward 16; Edward C. Fielding, Ward 16; John Knowles, Ward 16; William A. Murphy, Ward 16; Michael F. Jones, Ward 17; Bernard F. Listemann, Ward 19; Charles E. Bright, Ward 20; August A. Pachet, Ward 20; Edmund H. Fitzpatrick, Ward 22.

Forty traverse jurors, Superior Criminal Court, Second Session, to appear February 7, 1927:

Rudolph A. Groebe, Ward 1; William H. Holland, Ward 1; William H. Mogan, Ward 1; William G. Smith, Ward 1; Charles F. Callaghan, Ward 2; George J. Carroll, Ward 2; James F. Kripp, Ward 2; James DeMarco, Ward 3; Albert M. Hayes, Ward 3; Willis P. Davis, Ward 4; Henry A. Mooney, Ward 4; George A. Nelson, Ward 4; Morton S. Crehore, Ward 5; William Chapple Larkins, Ward 5; William Mackie, Ward 5; David P. Shea, Ward 5; William J. Manning, Ward 6; Patrick H. Carter, Ward 7; Albert J. Clasby, Ward 7; Dennis J. Donovan, Ward 7; John J. Coakley, Ward 8; Daniel J. Murphy, Ward 9; Walter J. Bleiler, Ward 10; Thomas J. Shea, Ward 11; Clifford D. Gay, Ward 12; Frank C. Ruggles, Ward 12; William J. Healy, Ward 13; Ralph D. Washburn, Ward 13; Isaac Goodstein, Ward 14; Maurice E. Gould, Ward 14; Edward J. Pillsbury, Ward 14; William H. Beaton, Ward 16; William R. Schnurr, Ward 18; William E. Stewart, Ward 18; Vincent Rose, Ward 19; Howard V. Shipley, Ward 19; John J. Holland, Ward 20; Daniel J. McDonald, Ward 20; Edwin H. Ashley, Ward 21; William O'Neil, Ward 22.

Forty traverse jurors, Superior Criminal Court, Third Session, to appear February 14, 1927:

Manuel R. Diaz, Ward 1; Guy Wilcox, Ward 1; William Bagley, Ward 2; Edward J. Bergen, Ward 3; George R. Sanford, Ward 5; Henry T. Lahey, Ward 6; George E. Williams, Ward 7; Ernest W. Dullea, Ward 8; John F. Dwyer, Ward 8; Michael A. McKenney, Ward 8; Aloysius J. Grimm, Ward 11; Joseph D. McLaughlin, Ward 11; Patrick Boyle, Ward 12; William J. Curran, Ward 13; Charles W. Lowe, Ward 13; William V. Noonan, Ward 13; Henry M. Nutting, Ward 13; J. Waldo Pond, Ward 13; John P. Friberg, Ward 14; Harry

W. Lincoln, Ward 14; Michael H. O'Connor, Ward 14; Charles D. Pettee, Ward 14; Joseph J. Peyser, Ward 14; John R. Cahill, Ward 15; John J. Smith, Ward 15; Lawrence A. Upton, Ward 15; George M. Gannon, Ward 16; Robert C. Sprague, Ward 16; John H. Pyffier, Ward 17; John F. Devlin, Ward 18; Charles W. Barker, Ward 19; Albert E. Foster, Ward 19; Bernard F. Macy, Ward 20; Louis F. McGloin, Ward 20; Eric C. Nissen, Ward 20; William A. Stewart, Ward 21; Walter H. Tooker, Ward 21; Thomas S. Glassett, Ward 22; John E. Keefe, Ward 22; Ralph C. Stevens, Ward 22.

Twenty-seven traverse jurors, Superior Civil Court, First Session, January Sitting, to appear February 7, 1927:

Edward P. J. Shea, Ward 1; Thomas E. Melville, Ward 2; Robert E. Prendible, Ward 3; Harry M. Clough, Ward 5; Isaac W. Litchfield, Ward 5; Anthony C. Berlo, Ward 7; Frank I. Murphy, Ward 6; John J. Toohig, Ward 8; Solomon Lewis, Ward 11; Frank L. Fay, Ward 12; Cornelius F. Leary, Ward 13; John J. Lyons, Ward 13; George J. Regan, Ward 13; Jacob Adelman, Ward 14; William J. Conley, Ward 14; Edwin T. Hickman, Ward 14; Richard D. Landers, Ward 15; Frank Jordan Isbister, Ward 16; Edward A. Divver, Ward 17; Edward J. Hines, Ward 19; Joseph J. McSweeney, Ward 19; Frank M. Miller, Ward 19; Frank A. Norris, Ward 19; David E. Anderson, Ward 20; John W. McNamara, Ward 20; Lawrence L. Woodberry, Ward 21; George H. Smith, Ward 22.

Twenty-six traverse jurors, Superior Civil Court, Second Session, January Sitting, to appear February 7, 1927:

John J. Donovan, Ward 1; Alexander J. Hogan, Ward 1; William Luppold, Ward 1; Joseph H. O'Keefe, Ward 3; Oscar W. Moody, Ward 4; Herbert W. Parker, Ward 4; Ralph E. Plummer, Ward 4; Charles L. Forristal, Ward 5; William A. Brady, Ward 6; Sylvester Hodges, Ward 6; James E. Kearns, Ward 7; Frank McGee, Ward 8; John B. Mitchell, Ward 9; Joseph T. Mulrean, Ward 10; William H. Sullivan, Jr., Ward 10; George A. Brackett, Ward 12; James A. Williams, Ward 12; William J. Burke, Ward 13; Coleman Feeney, Ward 13; Edward Gilbert, Ward 14; John Smyth, Ward 15; John T. Finn, Ward 17; Louis T. Poitevin, Ward 17; Richard J. Timmons, Ward 17; Carl Bauer, Ward 19; Rudolph Wisner, Ward 20.

Twenty-seven traverse jurors, Superior Civil Court, Third Session, January Sitting, to appear February 7, 1927:

John J. Harrington, Ward 4; William T. Rodden, Ward 4; William P. Gavin, Ward 6; William H. Brown, Ward 7; John P. Huxtable, Ward 7; William J. Kelly, Ward 8; Ernest M. Porter, Ward 8; Edward P. Francis, Ward 9; James J. McCarthy, Ward 10; John S. Coombs, Ward 11; Addis W. Dempsey, Ward 12; Henry B. Kelley, Ward 13; Michael E. Saunders, Ward 13; Edward E. Tuttle, Ward 14; George H. Whalen, Ward 15; William H. Ayer, Ward 16; Cornelius J. Hogan, Ward 16; Michael J. McDonnell, Ward 17; Carl V. Payson, Ward 17; Fred J. Connell, Ward 18; Howard S. Thompson, Ward 18; Oscar Lefevre, Ward 19; James J. McCarthy, Ward 20; George F. Young, Ward 20; George H. Lussier, Ward 21; Warren G. Thorpe, Ward 21; James W. Doyle, Ward 22.

Twenty-six traverse jurors, Superior Civil Court, Fourth Session, to appear February 7, 1927:

James P. Foley, Ward 1; William S. Kehoe, Jr., Ward 1; Joseph H. Studley, Ward 1; William C. Burrington, Ward 3; William E. Greenough, Ward 4; Arthur T. Paddock, Ward 4; George R. Bradley, Ward 5; Elliott Henderson, Ward 5; Thomas M. Wyse, Ward 7; Francis B. Farrell, Ward 10; William E. F. Klotter, Ward 10; Warren H. Campbell, Ward 12; James W. Lassiter, Ward 12; George E. Powers, Ward 12; John J. Burke, Ward 13; Terrance F. Kerrigan, Ward 13; George P. O'Brien, Jr., Ward 14; Samuel Perry, Ward 14; Filippo Castelnovo, Ward 15; Edward W. Batchelder, Ward 16; Joseph C. Handwerk, Ward 19; John D. McKee, Ward 19; William B. Weisenberger, Ward 19; Henry H. Schmetzer, Ward 20; Dennis F. Sheehan, Ward 21; William E. A. Mahoney, Ward 22.

Twenty-six traverse jurors, Superior Civil Court, Fifth Session, to appear February 7, 1927: Frank B. Kennedy, Ward 1; George T. Mahoney, Ward 1; John R. Watts, Ward 1; William A. Thompson, Ward 2; Timothy A. Hayes, Ward 3; Edward J. McCarthy, Ward 3; Hugh P. Kelly, Ward 4; Michael J. Conley, Ward 6; Peter F. Hines, Ward 7; Bernard L. McCabe, Ward 8; James E. Rhine, Ward 9; William R. Gay, Ward 10; Sylvester D. Carson, Ward 12; Dennis J. Manning, Ward 14; Frank J. Riordan, Ward 14; John H. Condon, Ward 16; Edwin H. Oxner, Ward 16; Charles F. Cowley, Ward 18; John J. McCusker, Ward 18; Frank M. Ewer, Ward 19; Frank T. Smith, Ward 10; Wilhelm Haberlaud, Ward 20; Philip W. Gaston, Ward 21; Robert N. Virtue, Ward 21; Robert D. Diggs, Ward 22; Norman J. Keefe, Ward 22.

Twenty-seven traverse jurors, Superior Civil Court, Sixth Session, to appear February 7, 1927:

Michael P. Furlong, Ward 1; Frederick S. Haskell, Ward 1; Michael J. McNamara, Ward 1; Albert L. Taylor, Ward 1; Ernest L. Woodside, Ward 1; James A. Ronan, Ward 2; George N. Coburn, Ward 4; Emery E. Tapley, Ward 4; John S. Carroll, Ward 7; Thomas F. Downey, Ward 7; Patrick J. Hogan, Ward 7; Charles F. Deady, Ward 8; Arthur Taylor, Ward 8; James Timulty, Ward 8; Bartholomew McCarthy, Ward 10; Jeremiah A. Hallaron, Ward 11; Arthur Beaumont, Ward 14; John J. Carter, Ward 14; Howard G. Trenoweth, Ward 14; Peter H. Lanahan, Ward 16; John E. Lynch, Ward 16; George R. Ellison, Ward 18; Thomas F. Manning, Ward 18; Rupert J. Bracy, Ward 20; Arthur S. Bull, Ward 21; Charles E. Jordan, Ward 21; John Alfred Martin, Ward 22.

Twenty-seven traverse jurors, Superior Civil Court, Seventh Session, to appear February 7, 1927:

Richard J. Austin, Ward 1; John Abbott, Ward 2; John J. Gillooly, Ward 2; James C. White, Ward 3; Karekin M. Shooshan, Ward 4; Arthur L. Robinson, Ward 5; Joseph G. Donovan, Ward 6; Daniel A. Lynch, Ward 6; Fred Mühlenberg, Ward 9; James E. Monahan, Ward 9; John J. Kelleher, Ward 11; James F. Mulloney, Jr., Ward 11; Gordon H. Seabury, Ward 11; John F. Trundy, Ward 12; Frank J. Donovan, Ward 13; George W. Myatt, Ward 14; George E. Phillips, Ward 14; Alphus M. Allen, Ward 15; Joseph J. Grant, Ward 15; Robert H. Kopp, Ward 15; Thomas F. Hauer, Ward 17; James F. Clark, Ward 19; George F. Hunt, Ward 19; William H. Razeto, Ward 19; Walter R. Kane, Ward 20; Carl A. Nelson, Ward 20; Albert M. Bruce, Ward 21.

Twenty-five traverse jurors, Superior Civil Court, Eighth Session, January Sitting, to appear February 7, 1927:

Cornelius A. Doherty, Ward 3; Fred E. Moody, Ward 4; Myron G. Clark, Ward 5; John E. Foley, Ward 5; William H. Sullivan, Ward 5; Alfred S. Williams, Ward 5; Michael J. Johnson, Ward 6; Frederick F. Carley, Ward 7; Frank J. Fisher, Ward 7; John F. O'Connor, Ward 7; Arthur E. Healey, Ward 12; Frederick R. Bridges, Ward 13; Stephen Ryan, Ward 13; Michael J. Seally, Ward 13; Jacob W. Miller, Ward 14; Thomas F. McKenna, Ward 15; Arthur M. O'Keefe, Ward 16; Richard W. Petterson, Ward 17; Maurice P. Horan, Ward 18; Harold H. Putnam, Ward 18; George B. Billings, Ward 19; Arthur M. Hale, Ward 19; James P. Parker, Ward 19; Patrick F. Noonan, Ward 20; James Joseph Rigney, Ward 22.

Adjourned at 2.15 o'clock p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, January 10, 1927.

Meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KEENE in the chair, and all the members present.

## ADDRESS BY MAYOR NICHOLS.

President KEENE—The Chair is advised that the Mayor desires to address the Council, and the Chair will appoint Councilors Gilbody and Wragg a committee to wait on his Honor the Mayor and advise him that we have assembled.

The committee so appointed retired at 2.06 p. m. and presently returned escorting his Honor Mayor Malcolm E. Nichols.

Mayor Nichols delivered the following address:

Gentlemen of the City Council.

Municipal business is better understood today than a few years ago, chiefly for the reason that our attention has been directed since the war to the sharp rise in municipal costs without expanding sources of revenue. During this ten-year period the burden of cost and maintenance has doubled in Boston and elsewhere.

## Costs and Causes.

This rise in costs has been due not only to several causes, such as further shrinkage in the purchasing power of one dollar from 91 cents to 62 cents and to the growing number and greater magnitude of the things the city is called upon to do, but to insistent propaganda for spending money on projects desired by somebody but of doubtful worth to the public. Boston is highly organized with activities, many of them with schemes framed without regard either to value or expense.

In my inaugural last January I pointed out that Boston was confronted with a difficult financial situation due to fundamental and far-reaching causes, although her general financial condition was not unsound. I believed it helpful to present a survey of the facts, and estimated that the needs of the city would require a tax rate very close to \$32. After the determination of the rate I presented an analysis, showing how the money was expended. This analysis, which is appended, demonstrated that of the rate of \$31.80, the sum of \$19.08 or 60 per cent was spent in public functions, not under the control of the Mayor.

Our tax problem is thus largely concerned with state, county and school administration. Our rate, moreover, this year, was based upon the lowest increased valuation since 1921.

In the conduct of municipal government, possibly no single activity is of greater importance than the carrying on of a sound financial program. The net debt of the city, exclusive of the self-supporting Rapid Transit debt, is in a remarkably sound condition, although higher by reason of loan issues caused by major street and other improvements. The financial position of the city as regards the annual expenditures for maintenance is particularly noteworthy, in that every known liability incurred during the financial year 1926, including all of the expenses for two severe snow storms, will have been paid within the total appropriations for the year, with substantial assets yet to be collected in the form of unpaid taxes.

## 1927 Tax Rate to be Lower.

Despite the impending high tax rate when I took office there were presented forthwith for my consideration new undertakings, calling for over fifty millions. It has been frequently said that no city in the United States gives so much to her citizens as Boston. Nevertheless every project ought to be examined with especial care to see if it represents a real benefit and is worth what we pay for it.

Notwithstanding the volume of proposed undertakings I found it impracticable to commit the city to any except those of extreme urgency.

The taxpayers have borne a high tax rate with patience, it seems to me, because they felt the administration had made an effort to be candid about it. Nevertheless a steady rise in tax rates is regrettable and a sharp rise serious. During my administration I do not expect to see a tax rate as high as the present, and I am confident that this year we shall announce a rate that will be regarded as a substantial reduction. Anyway it will be lower.

## Boston Pays Metropolitan Costs.

The financial conditions accounting for the current tax rate of \$31.80 have been published in detail form. They disclose the rapidly growing needs of a great city, needs which have not in the period following the war been sufficiently met. They present in a way the story of a home that requires refurbishing. They bring grave emphasis to the fact that Boston is the business and social center of a metropolitan city twice her size and is therefore called to perform many and perhaps all of her municipal services upon a larger and more expensive scale, that is upon a metropolitan basis. For example, in the care of streets for the automobiles of a metropolis, in the policing of a business center of nearly two millions, in fire protection for this center, in the hospitalization of a greater population, in the maintenance of a separate park system largely enjoyed by nonresidents, in a more elaborate health organization, Boston performs municipal functions metropolitan in character. Fifty per cent of the persons applying to the City Hospital for treatment have no legal settlements in Boston, and no worthy person is ever refused treatment there. In a larger degree this situation applies to the Haymarket Square Relief Station. Boston pays 55 per cent of the maintenance of the metropolitan parks which are outside her borders and in addition to her own park system. She pays all the bills for Suffolk County.

Probably the line cannot be definitely drawn on municipal expenditures. The horizon of requirements tends always to expand. Some requirements however exclude others, and so it seemed to me when I took office last January.

They related to outlay for schools, streets, health and public safety and other services that bore the stamp of necessity.

## Schoolhouse Accommodations.

The normal yearly increase in our school population is 2,200 pupils, but our requirements this year were far beyond this average. In fact the pressure of school population has for many years, in my opinion, not been sufficiently met. Temporarily, portable schools were resorted to, but they have been gradually discontinued; fifteen of them being so abandoned for schoolroom purposes this year. It was necessary to provide for a large number of permanent seats this year and the Schoolhouse Department did in fact provide 8,500 new permanent seats.

Under appropriations authorized by the School Committee there has been made available and spent in 1926, for schoolhouse construction, alterations and repairs, a sum greater than in any fiscal year in the history of the city. The Schoolhouse Department has carried through an unexcelled building program and has remodelled and thoroughly reconditioned more old schools than ever before. Seventeen new schools were finished and accepted, and of this number eight were begun during the year.

Moreover, all other projects of schoolhouse construction on the program of the department for 1926 have been placed on the market.

## New Streets and Reconstructed Streets.

On my recommendation a loan of one million dollars was authorized by your honorable body for new streets in residential districts, in recognition of the importance of new streets to the make of homes. Thirty-nine such streets have been laid out, and plans for twelve others are very nearly completed. In making up the 1926 streets, the Street Laying-Out Department also worked on a 1927 program. At the request of the Public Works Department, the Street Commissioners made over eighty plans for sewer takings.

Of the streets laid out by the Street Commissioners in 1926, nineteen contracts were awarded by the Commissioner of Public Works and five completed. Of the streets laid out by the Street Commissioners in 1925, fifteen contracts were awarded by the Commissioner of Public Works

in 1926 and eleven completed in 1926. Therefore, in 1926 there were thirty-four contracts awarded and sixteen completed.

Of course a portion of this work must be carried into the succeeding year and it is thus too early to comment upon it. Nevertheless it does establish a record both in the number of residential streets built, in the number of streets upon which construction work has already begun, and in the number of contracts ready to be carried out and it has satisfactorily prepared the way for a rapid completion of extensive work already well under way.

One of the budget items for 1926 was an appropriation of one million dollars for the repair and reconstruction of streets. In disbursing the appropriation it has been the policy of the administration to improve the main lines of traffic throughout the city, and also to give attention to the heavy teaming streets in the business area where the traffic is congested.

Contracts were awarded to do work on about one hundred streets and the paving division forces have been resurfacing and patching streets in their respective districts.

During the year the Tremont street and Cambridge street improvements were completed and opened to travel. Morton street was also completed. Work is progressing on Dock square and Kneeland street improvements. The most important work done in the business district was Franklin street, Devonshire street, Otis street, High street and Purchase street. Important work in suburban districts was as follows:

In Roxbury; Huntington avenue, Washington street, Warren street, Cliff street and a contract has been awarded to pave Harrison avenue.

In Dorchester; Blue Hill avenue, Boston street, Morton street and Adams street.

In Brighton; Tremont street and Harvard avenue.

In East Boston; Meridian street.

In Charlestown; work is going on in Medford street.

A contract has been awarded to repave Park square section where the Statler Hotel is being constructed.

Judging from much favorable comment and many letters of commendation the work on streets has been satisfactory and creditable to your support.

#### Police Force Strengthened.

The Boston Police Department is not under the control of the Mayor but is under the direction of a commissioner appointed by the Governor. I am pleased to say that the relations of the police with the municipal administration have been co-operative and friendly in every way. The police force is fortunate in having at its head a highly competent official who has proceeded with care and success in the discharge of his duties. The public safety in which the police force is an arm is one of our chief concerns. One of the first acts of the Mayor and Council was to strengthen this arm by provision for 300 additional patrolmen. The wisdom of this step has amply justified the resulting expense.

Not only have these additional police rendered essential service in the regulation of traffic, but at a period remarkable for the boldness and frequency of crime they have furnished a reserve vital to the protection of property and human life.

#### Million Cut in Fire Loss.

Another arm of the public safety is the Fire Department. Under my direction this department is being reorganized.

The Bureau of Supplies and Repairs has been enlarged and designated as the Maintenance Division, which will care for all repair work on buildings and fireboats. Divided authority and responsibility has been eliminated by placing this service under one experienced head. The rules and regulations of the department have been revised, and by conferences with the civil service the procedure has been amended to insure the appointment of younger officers.

The License Division and Fire Prevention Bureau have been completely reorganized and the Fire Prevention Division established. The results have been gratifying. The actual fire loss for 1926 is estimated at over one million dollars less than the fire loss in 1925, and less than in several years previous.

#### Public Health.

The Health Department occupies a high place in the health administration of American cities. In importance it is second to none. The statistics for 1926 are encouraging, particularly in communicable diseases. During the year there was a steadily increasing attendance of babies and young children at the thirty-one weekly conferences in twenty-three stations devoted to child hygiene. About 60,000 children have been brought to the conferences. There has been considerable development in the nursing service and about 175,000 visits have been made by the nurses. The Boston milk supply is nearly 100 per cent pasteurized, and probably is not excelled by that of any other American city. I am gratified to find that the commissioner has the cordial support of the medical profession, and I ask that he be given wide public co-operation, particularly in matters relating to food and sanitation.

#### Building Protection.

The Building Department has a close relationship to the subject of public safety. Having in mind serious lessons from the collapse of buildings, the department has framed new regulations in the taking down of structures for the greater protection of workmen and of the public. A drive has been made against obsolete safety devices on freight elevators. The work of removing old and dilapidated structures throughout the city has been forwarded. Prosecutions for violation of the building laws have been effective. The office has been enlarged and rearranged for better service to the public. Under a new arrangement delay in granting permits has been shortened. Construction engineers are now held to a higher degree of responsibility by the requirement of a final affidavit that their completed work is in accordance with their design.

#### Boston Insures Water Supply.

A serious problem confronting one of our neighboring cities in the metropolitan district brings to mind the perplexity of a few months ago relating to our future water supply. The plan before the Legislature, almost predestined of acceptance, disclosed a serious doubt as to the quality of the water.

I was determined that no plan should be adopted which might impair the excellence of our water supply. With the expert advice and assistance of one of the greatest water supply engineers in the world the city was able to present certain facts, either unrecognized or ignored, with the result that the Legislature authorized the so-called Swift River Water Supply Extension.

Boston was given full credit for the enactment of the Swift river plan by X. H. Goodnough, chief engineer of the State Board of Health, who called her leadership a controlling factor in securing for Boston and for the metropolitan district a water of the highest quality, superior to the water supply of any other great city.

#### New Street Lighting.

On Massachusetts avenue, between Columbus avenue and Harvard Bridge, there have been installed fifty-one new street lamps carrying a 1,500 candle-power lamp. The posts and globes are known as the boulevard type. The new park roadway on Boylston street and Audubon road has been equipped with eight new arc lamps. On Morton street, between Forest Hills road and Canterbury street, fourteen new arc lamps have been installed.

During the reconstruction of Washington street, from Massachusetts avenue to Williams street, it was necessary to install ten new lamps on this important thoroughfare.

In and about the street adjoining the new Statler Hotel and the small parkway bounded by Columbus avenue, Stuart street and Tennyson street, nineteen new arc lamps are in process of being set up to take care of this new important center in the heart of the city.

On Washington street, from Park street to Welles avenue, there have been set up eight new street lamps of the boulevard type, and the installation of several more at or near Codman square is contemplated. Eight new lamps were installed at White and Border streets at the new East Boston High School. Seven new arc lamps have been installed in the Allston district on Harvard avenue, between Cambridge street and Commonwealth avenue.



### Snow and Waste Removals.

In 1916 there were in this state 136,809 automobile registrations. In 1926 there were 826,224. This enormous growth is reflected upon our street traffic and calls for extraordinary means of clearing streets made impassable by a winter storm. Motor and pedestrian traffic means one million dollars a day in our retail trade and the interruption of this traffic results in delay and loss which cannot be compensated.

For this reason and for the safety and convenience of everybody the Public Works Department has perfected an organization to fight winter storms. Aided by our new equipment the city forces have been handling difficult winter work with a degree of success that has won deserved public approval.

The systematic collection of ashes and garbage is of inestimable value. The new trucks have been effectively used in these collections and every effort is being made to improve the service both under city labor and under contract.

### City Hospital Extensions.

New buildings and more extensive services at the City Hospital have been provided to meet the growing problems of that splendid institution. For these purposes loans of \$1,382,500 were authorized this year by your honorable body. A building for the care of expectant mothers and women who must have surgical treatment has been completed and accepted during the year. It is now being equipped and will soon be in use. A nurses' home is in process of completion. It will have recreation rooms, classroom and other features necessary for the comfort and well-being of the nurses who are to live there. Plans have been completed for a surgical building, the first floor of which will contain a new accident department. In the surgical building there are to be separate wards for men, women and children. Arrangements will be such that surgical patients need not be transferred from their beds for electrical treatment or massage. A new ward established for the treatment of patients afflicted with nervous disorders is now open. Plans are being made for a house officers' building similar to the nurses' home, and for a building to care for medical patients. Provision has been made for additions and alterations at the power plant.

### New Health Units.

In furtherance of the policy adopted by the Trustees of the George Robert White Fund, the second health unit has been established in East Boston, where, at the corner of Paris and Emmons streets, it was dedicated on August 4, last, and turned over to the Health Department of the city for its care and maintenance, in accordance with the terms of the will of the late George Robert White.

On November 15, 1926, the cornerstone was laid of the third health unit, located at the corner of Dorchester and West Fourth streets, in South Boston, which will probably be completed early in the coming summer.

These health units, together with the first unit established at the North End, furnish the districts which they serve with centers of co-ordination of the various health and welfare agencies at work in the city.

They are established in the respective centers of population, and provide accommodations and equipment fully adequate to the requirements of the people of the districts and also open-air parks for use in connection therewith.

With a continuance of the policy already adopted, it will be but a comparatively short time before six units, at least, will have been completed and the city will then be encircled by a band of helpful influence and assistance for the less fortunate in our midst.

### Baby Farms Abolished.

No longer may it be said that any ward of the City of Boston is placed in any home where the motive of the foster parent is other than a genuine interest in the child. This was not so a year ago. There were homes in which children were being boarded solely as a matter of business. These were the so-called baby farms, one of which was in New Hampshire, where sixteen children were placed. These baby farms no longer exist. Each child is placed where it shall receive as nearly as possible the care and guidance of a home.

### New Thoroughfares and Traffic Congestion.

The years of increasing street traffic have made this item one of growing significance vital to the industrial and commercial life of the city. The wear on streets today presents a problem serious and insistent, and it is supplemented by the further problem of street congestion which results in many proposals for the location of new traffic thoroughfares and the widening and resurfacing of old streets.

Just prior to this year the city embarked upon a program of constructing such thoroughfares running into many millions. These locations and widenings are at the point of completion, and I have deemed it wise, in view of the financial burden and the divergence of opinion as to the practicability of various new plans, to proceed with deliberation upon future commitments.

Not inconsistent with such deliberation, however, is the resurfacing and widening of Ashland and Oakland streets and of River street, authorized by your honorable body under an act of the Legislature. These are well-traveled highways joining the populous districts of Dorchester, West Roxbury and Hyde Park and stand in urgent need of the improvement now being made upon them.

The subject of new traffic thoroughfares is concerned greatly with traffic regulations. The Street Laying-Out Department is charged by law with the duty of framing such regulations and has spent much time in hearings and conferences upon them. As every regulation is likely to interfere with somebody, it is probable that no suggestions for relief can be made without encountering some serious obstacle. It is my belief that the best traffic regulation is that which will command the most support, even though support brings some measure of self-sacrifice.

For a consideration of the traffic problem, I have appointed a traffic advisory board whose members reflect the views of various trade and business organizations.

### Cities Need Help From Gas Tax and Motor Fees.

The method of securing funds for street and highways construction needs careful consideration. In all but four states funds are secured from two sources apart from general taxation: (1) registration fees and (2) gasoline tax. In Massachusetts the funds are collected solely through registration fees. Last year these were revised so as to increase substantially the amount received. The total received in 1926 will probably be about \$13,000,000, of which about \$10,500,000 represents registration fees and the balance represents miscellaneous fees, licenses and fines.

It is generally agreed that a gasoline tax is the fairest measure of the use of the roads by motor vehicles. About 300,000,000 gallons of gasoline is the probable consumption for 1926. If a tax of 2 cents were imposed it would bring in a revenue of \$6,000,000. Such a tax would permit a substantial reduction in registration fees and more equitably assess the users of the various types of passenger cars and trucks. Today a truck that is used steadily pays the same fee as a similar truck that is used only eight months in the year.

A gas tax would secure also a similar revenue from the large number of cars from other states that travel over our roads, especially during the summer months. These cars now use our roads free of charge while most of them pay a gas tax when traveling in their own states.

At present almost the entire amount available for street and highway construction is spent on state highways and town and county roads. In 1925 the law was amended so as to permit the use of such funds also in cities, but this has not practically become operative. The increasingly large amounts spent in recent years on our state roads has built up a facility of movement that has now reacted on the congested city areas, by bringing to and through the cities a rapidly increasing flood of traffic. The cities contribute about 60 per cent of the registration fees but in addition must now finance out of taxes all their own street improvements. Consideration should now be given to the question of the gasoline tax and the use under proper administrative safeguard of some definite and substantial proportion of such funds upon city street improvements. A reasonable amount must be assured for the state highway program, but the whole question of taxation of motor vehicles should be reviewed and amended as necessary to provide for the use of cities some adequate portion of the sums so collected.



Elevated Should Accept Governor Square Act.

Boston needs further transit facilities not only to support the business growth of the city but to provide relief for traffic congestion.

It seems desirable at this time to talk of our obvious immediate need. For that reason I have urged upon the Elevated the prompt adoption of the act providing for an extension of the subway under Governor square. The Elevated ought to do this both for itself and for the city.

The rentals at Governor square would not start for nearly three years and would be around \$200,000 a year.

The suggestion of direct taxation to pay costs that the 10-cent fare cannot meet is not a promising solution. It is natural and possible to meet such costs by the present procedure.

I believe the Governor Square Act could be accepted whether the Elevated is reorganized or not. It ought not to depend upon the reorganization. That will not make the undertaking any more profitable. And it is not a question of profit in any sense. The question is whether an admittedly necessary transit extension should be held up to await the solution of all manner of complicated questions, when the law providing for it has been enacted and merely awaits acceptance.

The extension of the Boylston street subway is not a street traffic question. It is one relating to passenger transportation and to the use as originally planned of the subway for train service in multiple units.

Again I express the hope that it may be possible to consider Governor square transit without delay. It is not only first in importance but distinct from general transit problems because of the existence of the Governor Square Act, a statute in standard form.

The share of the city in the Elevated deficit is one and three quarters millions. Much as the city desires a repayment of all or a portion of this sum, it recognizes as more desirable the immediate building of the Governor square subway.

Before legislation is passed to change the method of operating the properties of the company there should be given proper consideration to the repayment of this million and three quarters.

#### Financial Administration.

When the municipal finance act was drawn fourteen years ago the City of Boston was excluded therefrom because it was thought that the act was not well adapted to the larger financial problems of a metropolis. Our credit is the best of any large city in the country, as shown by the high market value of our bonds. With all respect due to the recommendation of His Excellency the Governor, I am unable to agree with him that the policy ought to be changed. It seems to me a mistake for the Legislature to take from Boston any part of the slight freedom she now enjoys in the conduct of her own affairs and to place her under restrictions which will further cramp her activities. Six millions for new school buildings came this year not from loans but from the tax levy, and since 1916 over twenty-three millions have come from the tax levy for this purpose. One million dollars for reconstructed streets which might have been taken from loans under another title came also this year from the tax levy. A considerable portion of our indebtedness is authorized by the Legislature under special acts. Our tax limit, unlike that of other cities and towns, is determined by the Legislature as part of the policy relating to the debt-incurring power of the city. I believe that the policy in reference both to tax limit and debt is wise and should be retained.

#### The Finance Commission.

Frequently of late I have been asked if I did not favor the abolition of the Boston Finance Commission and my reply has been in the negative. While a member of the Legislature I supported the present Boston charter and spoke particularly in favor of that provision of the bill creating the Finance Commission. It has a useful work to perform and could render a real service to the city if it would but lift its activities to the purpose for which it was created. The charter states that the duty of the Finance Commission shall be to investigate any and all matters relating to appropriations, loans, expenditures, accounts, and methods of administration affecting the City of Boston or the County of Suffolk, or any department thereof, that may appear

to the commission to require investigation. Its practice, however, is to score a point and be sharp in taking every advantage.

The commission is of course right in directing the attention of the city to methods which appear to require correction, but it should carefully refrain from interference with the transaction of public business and above all it should be fair.

Gentlemen of the City Council.

There is abundant evidence of new life throughout all New England in agriculture, trade and industry. We are much nearer to every part of the world than we were five years ago. I see at every hand men who believe in the future of Massachusetts and her capital city. There is a determination to put better methods into farm and factory, shop and counting room. There is a realization that the effort of mind and hand will always receive recognition here.

Boston is the business and industrial center of one of the wealthiest communities to be found anywhere. The thrift of New England people is proverbial. This is further emphasized by the savings bank deposits of the state which have now reached the great total of almost two billions of dollars, of which sum Boston banks have on deposit nearly six hundred millions.

The Mayor and City Council of Boston have in serving this historic city an honor in which they may take deep pride. It is a city whose future is bright with the promise of material prosperity and sure in the steadfast quality of its citizenship. We have been associated in this honorable service for one year and I have thought it of advantage to review with brevity a few of the public questions with which we have been occupied. They are not the only important ones that could be discussed. Nevertheless, I am sure they are among those that have required a great deal of time and effort. It has not been my purpose to present these public affairs as a record of accomplishment, but rather to indicate to you the results for which your honorable body and myself have been at work together.

The City Council and the Mayor do not always share the same view, but the Mayor is at this time glad of the opportunity to say to you that no difference of opinion has yet worked injury to the public service. On the contrary, the two branches of the government have worked well together and for the public good. In this belief I can speak with confidence of the great opportunity now before us to join our best thought and highest endeavor for the task at hand. (Applause.)

Appended to the Mayor's address was an analysis of the tax rate including a survey of city expenditures with comparative tables.

#### APPOINTMENT BY THE MAYOR.

Subject to confirmation by the Council the Mayor submitted appointment for the term ending December 31, 1927 of James E. Hagan, Weigher of Goods, 351 Washington street, Somerville.

Laid over for a week under the law.

#### VETO OF SALARIES OF PROBATION OFFICERS.

The following was received:

City of Boston,  
Office of the Mayor, December 31, 1926.  
To the City Council.

Gentlemen,—I return herewith, without my approval, the order of your honorable body passed December 20, 1926, establishing the salaries of certain probation officers in concurrence with the justice of the Roxbury District Court.

This order is vetoed, without prejudice, for the reason that there is pending a study relative to the classification of wages and salaries, which may have a bearing upon this matter.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

## ANTICIPATION OF TAXES FOR 1927.

The following was received:

City of Boston,  
Office of the Mayor, January 10, 1927.  
To the City Council.

Gentlemen,—I am in receipt of the inclosed request that I submit to your honorable body for adoption the accompanying order providing for the necessary funds to meet the financial requirements in anticipation of taxes for the year 1927.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That to provide temporarily money to meet the appropriations for the financial year 1927 the City Treasurer issue and sell, at such times and in such amounts, as he may deem best, notes or certificates of indebtedness of the City of Boston not exceeding twenty-five million dollars in the total, in anticipation of the revenue of the current municipal year; that all such notes or certificates of indebtedness be dated the day the money for the same is received, be made payable with the interest thereon within one year of their date from the revenue of the year 1927, and bear interest from their date until the same are made payable at such rate as the City Auditor, the City Treasurer and the Mayor may determine.

Referred to the Executive Committee.

## APPROPRIATION FOR TRAFFIC ADVISORY BOARD.

The following was received:

City of Boston,  
Office of the Mayor, January 10, 1927.  
To the City Council.

Gentlemen,—I have appointed a Traffic Advisory Board whose duty it will be to make a comprehensive study of traffic conditions. This Board will in no way interfere with the duties of any existing board or commission of the city, but will devote its efforts to a thorough study of existing rules, regulations and ordinances, and the preparation of a plan which may be laid down for general guidance in meeting traffic conditions, to the end that a more harmonious and efficient method of treating with this serious problem can be devised.

The following have been named by me as members of the Board:

Fitz-Henry Smith, Jr., chairman, 132 Newbury street, Boston.

William A. Fisher, secretary, Mayor's Office, City Hall, Boston.

Prof. William B. Munroe, Harvard College, Cambridge.

Day Baker, 126 Massachusetts avenue, Boston, representing the Team Owners' Association, Inc., and Motor Truck Club of Massachusetts.

Alton E. Briggs, 14 Crescent avenue, Chelsea, representing Boston Fruit and Produce Exchange.

Albert J. Caulfield, 127 Newberg street, Boston, representing the Fire Department.

Edward Dana, 31 St. James avenue, Boston, representing the Boston Elevated Railway.

Sydney S. Dean, 19 Lanark street, Brighton, representing the Massachusetts Real Estate Exchange.

Thomas F. Goode, 95 Prince street, Jamaica Plain, representing Boston Police Department.

Joseph J. Hunt, 374 Bowdoin street, Dorchester, representing Boston Central Labor Union.

Gifford LeClear, Waban, Mass., representing Boston Chamber of Commerce.

George W. Mitton, Jordan, Marsh Company, representing Retail Trade Board of the Boston Chamber of Commerce, Boston.

William S. Parker, 148 Mt. Vernon street, Boston, representing City Planning Board.

James M. Rothwell, 107 Massachusetts avenue, Boston, representing Boston Real Estate Exchange.

Frank Sawyer, 203 Bay State road, Boston.

Frank S. Deland, Corporation Counsel, Boston Law Department.

At a meeting held by this Board on Saturday, January 8, 1927, Professor Miller McClintock of Harvard University, a recognized expert in this important work, after a preliminary survey of conditions in Boston, was decidedly in favor of a more extensive study being made and that said expense should be borne by the city. It was then unanimously decided that the City of Boston be

asked to appropriate the sum of \$25,000 to defray the necessary expenses incident to the work of this survey.

I respectfully recommend the adoption of the accompanying order by your honorable body.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of twenty-five thousand dollars (\$25,000) be and hereby is appropriated to be expended by the Traffic Advisory Committee, under the direction of the Mayor, in the prosecution of its duties, said sum to be charged to the Reserve Fund when made.

Referred to the Executive Committee.

## APPROPRIATION FOR BOARD OF ZONING ADJUSTMENT.

The following was received:

City of Boston,  
Office of the Mayor, January 3, 1927.  
To the City Council,

Gentlemen,—I am advised by the chairman of the Board of Zoning Adjustment that the appropriation granted this Board in 1924 is practically exhausted and that, in his opinion, an appropriation of \$3,500 will be required to conduct the activities of the Board during 1927. In accordance with the request of the Board, I submit herewith an order providing for the appropriation of the desired sum and respectfully recommend adoption of the same by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Board of Zoning Adjustment,  
December 23, 1926.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—The Board of Zoning Adjustment was originally allowed an appropriation from the Reserve Fund of \$5,000. This amount has defrayed all the expenses of the Board from the time of the enactment of the Zoning Law on June 4, 1924, up to and including December, 1926, with an unexpended balance at the present moment of \$410.13.

This money has been expended for verbatim reporting of public hearings, transportation in connection with inspection trips on the part of members of the Board in the case of each petition, secretarial, clerical, stenographic, drafting and investigational service, office supplies, maps, advertising, messenger service and miscellaneous items.

The Board accordingly voted at an executive meeting held on Friday, November 12, 1926, to request an appropriation of \$3,500 for the year 1927, which request I trust will meet with your Honor's favorable consideration.

Yours very truly,  
FREDERIC H. FAY,  
Chairman.

Ordered, That a sum not in excess of \$3,500 be and hereby is appropriated to be expended by the Board of Zoning Adjustment, under the direction of the Mayor, in the prosecution of its duties, said sum to be charged to the Reserve Fund, when made.

Referred to the Executive Committee.

## APPROPRIATION FOR RENT AND HOUSING COMMITTEE.

The following was received:

City of Boston,  
Office of the Mayor, January 10, 1927.  
To the City Council.

Gentlemen,—I am advised by the chairman of the Rent and Housing Committee that the appropriation granted last year for the work of the committee will be practically exhausted on or around the thirteenth of this month.

During the year 1926, approximately 6,500 complaints were adjusted or disposed of by this committee. The following table indicates the nature

and approximate average of the cases considered during the past year:

Rent increases, 13 per cent.

Notices to vacate, 16 per cent.

Complaints of lack of heat, 20 per cent.

Information given to landlords and tenants as to rights, 30 per cent.

Miscellaneous, 21 per cent.

I feel that it is desirable to continue the work of this committee for at least another year, since through its continued existence both landlord and tenant are afforded the opportunity of securing without expense an amicable adjustment of their peculiar problems which are bound to arise. It is estimated that an appropriation of \$6,500 will be necessary to conduct the activities of the committee during the current financial year. I accordingly submit herewith an order providing for the appropriation of this sum and respectfully recommend its adoption by your honorable body.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$6,500 be and hereby is appropriated to be expended by the committee on Rent and Housing, under the direction of the Mayor, in the prosecution of its duties, said sum to be charged to the Reserve Fund, when made.

Referred to Executive Committee.

#### CHANGES IN SNOW TRUCKS.

The following was received:

City of Boston,

Office of the Mayor, January 5, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Public Works Department in reply to your order of November 29, 1926, in relation to making such changes in the bodies of the new snow trucks as will lower the sides of the trucks sufficiently to permit of them being loaded without the extraordinary labor upon the part of the loaders which the present height of the sides makes necessary.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department, January 3, 1927.  
To the Honorable the Mayor.

I return the order of the City Council relative to the height of the new trucks, and report as follows:

The total height of the trucks, from the ground to the top of the body with sideboards, down, is 6 feet 4½ inches,—less than 1 inch higher than the trucks we have been using for the past six years. With the sideboards up, our new trucks are 6 inches lower than the majority of cities, towns and contractors are using in the various parts of the state for the collection of ashes and refuse.

Notwithstanding the above data, orders were issued to have the boards down while loading. These orders have been complied with, but in the meantime our men are experimenting with side brackets and steps which will overcome the objectionable features.

Yours respectfully,

JAMES H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### FLAGPOLE AT RONAN PARK.

The following was received:

City of Boston,

Office of the Mayor, January 5, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of December 20, 1926, in relation to flagpole being erected at Ronan Park, Ward 15.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, December 30, 1926.  
Hon. Malcolm E. Nichols,

Mayor of Boston,

Dear Sir,—I have your memorandum of December 28, with inclosure, request of City Council to have flagpole erected at Ronan Park, Ward 15.

In reply I desire to say that I will be pleased to make arrangements in the budget for 1927 to have such a pole erected.

Very truly yours,

WILLIAM P. LONG,  
Chairman.

Placed on file.

#### FLOODING OF MISSION HILL AND HEATH STREET PLAYGROUNDS.

The following was received:

City of Boston,

Office of the Mayor, January 7, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department in reply to your order of December 31, 1926, in relation to flooding the Mission Hill Playground and the Heath Street Playground for skating.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, January 5, 1927.  
Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of January 4, with inclosure, order from the City Council that the Park Department be requested, through his Honor the Mayor, to flood for skating the Mission Hill Playground and the Jefferson Playground, Heath street.

In reply I desire to say that arrangements were made to flood same on Monday, January 3, 1927. I do not think it will be possible to hold the water in either place on account of the porous condition of the ground.

Very truly yours,

WILLIAM P. LONG,  
Chairman.

Placed on file.

#### FLOODING OF CONNOLLY PLAYGROUND.

The following was received:

City of Boston,

Office of the Mayor, January 5, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of December 20, 1926, in relation to flooding the John J. Connolly Playground for skating, and to making such arrangements as may be required to prevent the water from draining off on the adjoining property. Also copy of letter which the Park Commissioner sent to Councilor Englert, who is interested in this matter.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, December 30, 1926.  
Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of December 28, with inclosure, request of City Council to flood for skating purposes the John J. Connolly Playground.

In reply I desire to submit a copy of a report sent to Councilor Englert relative to same.

I will, however, endeavor to build a small skating area adjacent to the building.

Very truly yours,

WILLIAM P. LONG,  
Chairman.

City of Boston,

Park Department, November 15, 1926.  
Edward L. Englert, City Councilor, Council Chamber, City Hall, Boston.

My dear Councilor,—I am in receipt of a very careful report from our engineer relative to skating on the John J. Connolly Playground, Marcella street, Roxbury.

He informs me that it was never intended that skating should be arranged for on this playground. A skating pond has never been there and the grading of the ground is 7 feet lower at the bleachers than at the house. If we attempted to flood this area the water would run into the city yard.



Incidentally, it would undermine the bleachers and destroy the ball field.

For the general good of the locality the Board of Park Commissioners feel it would be inadvisable to destroy this area under these conditions.

I regret exceedingly that it cannot comply with your request and provide a skating area on this playground.

Very truly yours,  
WILLIAM P. LONG,  
Chairman.

Placed on file.

#### LOAN FOR SEWERAGE WORKS.

The following was received:

City of Boston,  
Office of the Mayor, January 10, 1927.  
To the City Council.  
Gentlemen,—Under the provisions of chapter 426 of the Acts of 1897, as amended by chapter 204 of the Acts of 1908, the city may appropriate in any one year sums not exceeding \$1,000,000 for the construction of sewerage works. Experience has shown that, in order to keep pace with the natural expansion of the city, it is desirable and necessary that the maximum amount provided in the above-mentioned acts be appropriated. I accordingly submit herewith an order providing for the appropriation of the maximum amount and respectfully recommend the adoption of this order by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, January 4, 1927.  
To the Honorable the Mayor.  
I respectfully recommend that under the provisions of chapter 426 of the Acts of 1897, as amended by chapter 204 of the Acts of 1908, the sum of \$1,000,000 be appropriated for sewerage works.

Yours respectfully,  
JAMES H. SULLIVAN,  
Commissioner of Public Works.

Ordered, That under the provisions of chapter 426 of the Acts of 1897, as amended by chapter 204 of the Acts of 1908, the sum of \$1,000,000 be and hereby is appropriated to be expended under the direction of the Commissioner of Public Works for sewerage works, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to Committee on Finance.

#### PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

##### Claims.

Joseph T. Barnes, for compensation for damage to wagon by city team.

Henry W. Bennett, for compensation for damage to property at 30A Warren street by ash cart.

Berwick Cake Company, to be reimbursed for relocating bydrant at corner of Harrison avenue and Palmer street.

Mr. and Mrs. John Creighton, for compensation for damage to automobile at corner of Washington and Kingsbury streets.

Nathan Desatnick, for compensation for damage to truck by city truck.

A. M. Eaton Paper Company, for compensation for damage to truck by city truck.

Edison Electric Illuminating Company, for compensation for damage to pole, lamp, etc., at 849 Washington street, caused by city truck.

Edison Electric Illuminating Company, for compensation for damage to pole, lamp, etc., at Broadway and Winchester streets, caused by city truck.

Edison Electric Illuminating Company, for compensation for damage to pole, lamp, etc. at Boylston and Tremont streets, caused by city truck.

Anthony H. Fisber, for compensation for damage to car by city team.

General Baking Company, for compensation for damage to wagon by city truck.

Samuel Green, for compensation for damage to automobile by ash cart.

Hampden Auto Parts Company, Inc., for compensation for damage to property at 80 Hampden street, caused by bursting of water main.

Ada Hurwitz, for compensation for injuries caused by an alleged defect at 53 Georgia street, Roxbury.

Gustave Hymoff, for compensation for damage to automobile by city truck.

Maxwell Jones, for compensation for damage to automobile by patrol wagon.

Philip Kaminsky, for injuries caused by being struck by city truck.

James P. Kelleber, for refund on victuallers' license.

Joseph Leone, for compensation for damage to property at 291 D street, South Boston, during building of park at Bolton street.

John P. MacKinnon, for refund on personal tax bill.

R. H. MacKinnon, for refund on refuse tickets.

Sara A. Manning, for compensation for injuries caused by an alleged defect at Otis and Summer streets.

Pietro Marinelli, for compensation for injuries and damage to automobile caused by being struck by fire apparatus.

J. D. McMillen, for compensation for damage to automobile by fire apparatus.

Herbert Nasb, for compensation for damage to property at 83 Wendell street, caused by leak in water main.

Joseph O'Brien, for compensation for damage to automobile by fire apparatus.

Rose Paisner, for compensation for injuries caused by an alleged defect at 361 and 363 Bolyston street.

Elizabeth Putnam, for compensation for damage to automobile by city truck.

Mr. Shapiro, for compensation for injuries caused by being struck by city truck.

Uppams Corner Market Company, for compensation for damage to truck by city truck.

Urquhart Brothers, for compensation for damage to truck by city truck.

Wesley K. Webster, for compensation for damage to automobile by patrol wagon.

Wolf, Fording & Co., for compensation for damage to automobile by city truck.

Arthur S. Allen, for compensation for damage to automobile caused by hole in street at Blue Hill avenue and Columbia road.

Emmett Gibson, for compensation for damage to property at 3 Warwick street, caused by ash cart.

Cornelius J. Kailher, for compensation for collapse of boiler at 6 Ashmont park, Dorchester, caused by sbutting off water.

Charles R. Mennello, for compensation for damage to property at 10 Porter street, East Boston, caused by backing up of sewage.

#### ELEVATED RAILWAY LOCATION.

An order was received from the Board of Street Commissioners, under date of November 16, 1926, granting to the Boston Elevated Railway Company a temporary track location on Bay street, Dorchester, the same being the 58th location.

Ordered printed and placed on file.

#### APPOINTMENT OF DIVISION ENGINEER BOWES.

A certificate was received from the Commissioner of Public Works of the appointment, under authority of section 34 of chapter 27 of the Revised Ordinances, of Thomas F. Bowes to the division engineer of the Sewer Division.

Placed on file.

#### APPROVAL OF APPOINTMENT OF STREET COMMISSIONER HURLEY.

Notice was received of the approval by the Commissioners of Civil Service of the appointment of Thomas J. Hurley as member of the Board of Street Commissioners of the City of Boston.

Placed on file.

## CENSUS OF BOSTON POPULATION.

A communication was received from the Mayor submitting a compilation made by the City Planning Board of the 1925 census of the population of the city by assessors' blocks.

Placed on file.

## STORAGE AND SALE OF GASOLINE.

Notice was received from the Street Laying-Out Department of hearings to be given on January 24, 1927, on petitions for storage and sale of gasoline as follows:

Dennis J. Daley, 1325 Blue Hill avenue, Ward 14, 1,000 gallons.

E. G. Leighton, 361-369 North Beacon street, Ward 22, 1,500 gallons.

Louis Vogel, 5181 Washington street, Ward 20, 2,000 gallons.

George Levine, 42 Washington street, Ward 21, 1,000 gallons.

North Station Garage Company, 160 Causeway street, Ward 3, 5,100 gallons.

Referred to the Executive Committee.

## CONSTABLE'S BOND.

The constable's bond of William F. O'Connell, having been duly approved by the City Treasurer, was received and approved.

## PAY ROLL REGISTRY OF DEEDS.

The supplementary pay roll of the Registry of Deeds for period from December 13 to December 31, 1926, amounting to \$1,965.29, was received and approved.

## COMMITTEE ON BUDGET CONTROL.

Coun. PARKMAN—Mr. President, the committee appointed under an order of the City Council November 15, 1926, to confer and make a report at the first meeting in 1927 on the subject of budget control, has completed its work and is practically ready to submit its report. The report itself, however, is not in its final form and the committee would like an extension of time for one week and the authorization of the Council to present the report at the next meeting.

President KEENE—If there is no objection, an additional week will be granted.

## COMMITTEE ON INSPECTION OF PRISONS.

Coun. LYNCH, for the Committee on Inspection of Prisons, presented the following report:

City of Boston,

In City Council, December 31, 1926.

In accordance with the provisions of chapter 223 of the Revised Laws, the Committee on Inspection of Prisons of the City Council submits herewith its annual report.

## Suffolk County Jail.

The semiannual inspections of the jail were duly made.

Conditions at the Suffolk County Jail, in the opinion of your committee, warrant the commendations this institution generally receives. Despite the large increase over the normal population there was no evidence of decline in the management or morale of the institutions.

Your committee concurs with previous committees in the recommendation that the boilers be removed from within the jail building and be housed in the jail yard in a separate structure, located outside the building proper. The presence of these boilers within the jail building constitutes a constant menace to the safety of officers and inmates. We indorse the recommendation of previous committees that the unsanitary and dilapidated buildings of the West End Division of the Sanitary and Street Cleaning Department, adjoining the jail yard, be abandoned and the land made available for jail uses.

Your committee, after a thorough investigation of the jail, indorse the model method of feeding the inmates and the excellent hospital and dental systems in operation at the jail.

## House of Correction.

The required number of visits were made to the House of Correction by your committee during the year and the committee was particularly impressed by the excellent condition and the well-kept appearance of the buildings. Nearly all of the buildings have been repainted on the outside and inside. The cells are clean and in an orderly condition. The food is wholesome and plentiful.

Practically all of the vegetables used at the institution during the year are raised on the farm connected with the institution, while all of the bread and pastry are furnished by its bakery.

The cows owned by the institution not only supply all the milk used there, but they also take care of part of the needs of the Long Island Hospital. A pasteurizer is being installed to sterilize the milk.

The clothing and shoe shops are still doing very excellent work and supplying practically all the needs of both institutions.

During the year, from December 31, 1925, to December 15, 1926, the population has decreased from 658 to 605. For the same period the commitments were 3,463, while 3,516 were discharged. The committee regrets to report the death of seven inmates during the year.

For the Committee.

WILLIAM G. LYNCH,  
Chairman.

Appended were reports of commitments and discharges from Sheriff Keliher and Masters James L. Molloy and George F. A. Mulcahy.

Report accepted and ordered printed as a public document.

## INCREASE IN ENTRY FEES IN CIVIL CASES.

Coun. FITZGERALD offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation providing for an increase to five dollars of the entry fee in civil cases.

Passed under suspension of the rule.

## NEW COURT HOUSE FOR SUFFOLK COUNTY.

Coun. FITZGERALD offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation authorizing the borrowing by the City of Boston, outside the debt limit, of three million dollars to be used for the erection of a new courthouse for Suffolk County.

Referred to the Executive Committee.

## REMOVAL OF PRESIDENT FROM OFFICE.

Coun. DOWD offered an order—That the President of the Boston City Council be and hereby is removed from office.

Coun. DOWD—Mr. President, in offering this order I want it clearly understood by the President that it is not aimed at him personally in any way, shape or form. I do believe, however, that it was the intention of the Council when we elected you as President one year ago to elect you as President for one year and for one year only. I understand, however, that a ruling has been sent down from the Law Department to the effect that you were elected President for two years. I believe in justice to the other twenty-one men sitting here, and not knowing who may come back for another term, that each and every one of us should have a chance to have the honor of being President of the Boston City Council. I know only too well, Mr. President, that it probably takes nerve to offer an order like this in the City Council, but I cannot be any worse off than I have been during the past year. I want to call upon every fair-minded Republican in this Council, whose intent one year ago was to elect a president for one year,



and I want to call upon every Democratic member of this body, in Democratic Boston, to stand with Dowd in his order to remove the present President of the Boston City Council. I want you all to realize, and realize full well, that the order is not directed at our President personally. It is directed at the office, the Chair. I believe the Boston City Council should have a Democratic President, and if we find ourselves together we can and should elect a Democratic President of the Boston City Council.

Coun. WILSON—Mr. President, I believe you will agree with me that a year ago this month I was not one of the least active of your supporters for the presidency of the Boston City Council. In reply to Coun. Dowd I would state frankly that I personally voted for the present presiding officer of this body to preside for what I understood was a term of one year. On the other hand, I have endeavored to read the decisions in the courts of this state upon the question. As I understand it, you were elected to preside over this body not for one year or for two years, but during the pleasure of the City Council, and twelve votes in this body can declare the Chair vacant today, next week or six months from now. Personally, I feel very strongly that a vote to unseat you as President of this Council today might well be misconstrued outside of this body as a reflection on you personally; and I, voicing what I feel is the entire membership of the City Council, in view of your fair and square rulings during the year, would not want to see that misconception go outside. There is one other factor in my mind with reference to the question that has been brought up here at this time, and it is this. I was not elected to this City Council to represent the Dorchester district selfishly or exclusively, but I am here to do my level best to see to it that Ward 17, Dorchester, receives its fair and proportionate share of benefits at the hands of the city, in the way of street improvements, police protection, adequate lighting, and other facilities. Only so long as Ward 17, Dorchester, receives its fair and proportionate share, am I to be numbered as among those who favor the present order of things. From then on, in the now famous words of Coun. Guild, I save my rights, and that will go for today, a week from today or six months from today. We have heard the Mayor of Boston address us here today. I feel personally very strongly that his Honor the Mayor has made fair, substantial progress during 1926, under hard circumstances, in his first year as Mayor of this city. I feel very strongly, and am relying on the fact that his constructive efforts during the past year will bear real proof during the coming year. I hesitate to swap horses just as we reach the middle of a stream. I feel that we are not called upon, whatever we may have intended a year ago, to go to the extreme to which we must go if we want to make a change in our presiding officer, under the law, of declaring the President's chair vacant. I do not feel that we should put the presiding officer of this body in that position, certainly not after the fair and impartial treatment that he has shown toward the members of this body during the past year. I do not personally feel, whatever may be the aspirations of any member of this body, that we should indirectly slap the face of the President of the Boston City Council. I trust, therefore, for that reason that the majority of the members of this Council on that particular question will side with me. If it were a new election, it might be a different proposition; but, in order to have a new election, we have to act indirectly and displace the present presiding officer.

Coun. DOWLING—Mr. President, I regret very much that the order before the Council was presented in the form in which it appears. I suppose this is the most embarrassing moment I have ever had in my life. My relations with the President of this Council have been cordial, friendly, honest and sincere, as they have been with every other member of the Council. I regret that the motion before us is to remove the presiding officer from authority as presiding officer of the Council. Embarrassed as I feel at the position in which the language of this order places me, I cannot help feeling that I must stand by my original idea that our presiding officer was last year elected for a one-year term. I think that I must act in accordance with my feeling and my idea in this matter, in spite of the embarrassment thereby placed upon me and with all due respect personally for our President. I voted last year, and

I believe every member of the Council voted, for a presiding officer for a one-year term. I want to be as fair as I can with you, Mr. President, and I want your continued friendship, but I have got to do what I think is right. I do not think, Mr. President, that you ought to have taken the attitude that you were elected for a two-year term. Had there been any doubt about the length of the term of the presiding officer of this Council it certainly would have been expressed at the beginning of the term, when it was clearly announced, and printed in the records of the city, that you, sir, were elected for the year 1926. While I know that the motion for your election did not include the length of the term, I felt that it was for a one-year term, and I believe that every member of this Council felt that it was for a one-year term. Therefore, Mr. President, much as I regret it, and with the possibility, which I certainly hope will not result, of losing your friendship, I am going to vote for a one-year term for President of the Boston City Council, carrying out an established rule, a precedent that has existed ever since I knew City Hall.

Coun. GUILD—Mr. President, I am going to go one step farther than my learned brother from Ward 17 (Coun. Wilson) and say it is not only probable but almost certain beyond peradventure that if the City Council passes the motion which has been offered the general public will regard it as a slap in the face to the presiding officer of this body. During the past year this body, made up of twenty-two different individuals coming from all parts of the city, each with a different background, has sat in this chamber and conducted itself with dignity and decorum and in a manner warranting the respect of the citizens of Boston. For this body to stand up now and deliberately offer a slap in the face to its presiding officer is almost, to my mind, unbelievable. With all due deference to my learned brother from Ward 21 (Coun. Dowling) I stand here and say that if he has a sincere belief that every member of this City Council in casting his vote a year ago this time voted for a presiding officer for one year, then his belief is utterly without any foundation whatever. The motion was made to proceed to the election of a President. It was made in those words, and the mere fact that the member from Ward 21 (Coun. Dowling) who was in the chair in announcing the result of the election said, "We have elected a president for one month," or "We have elected a president for one year," would not have affected the result one particle, would not have changed in any respect the action which the City Council had taken. It had elected a president without specifying in terms for how long a period, but presumably, as my learned brother from Dorchester has pointed out, during the pleasure of the City Council. If it is now the pleasure of the City Council to stand up and say to its presiding officer, "You have been a fine man, you have treated all of us squarely, you are a regular fellow, square-shooting," and all that, and then deliberately turn around and give him one on the chin, the citizens of Boston can only put one interpretation on that action, and that is that the Boston City Council still is a body unworthy of its serious consideration. The Boston City Council in the past, Mr. President, has been referred to as a polite debating society. We have been polite during the past year. We have not transgressed the bounds of dignity and decorum. That would be no mean achievement under any circumstances, and when it is considered that we have given serious and earnest consideration to the very serious matters that have been presented to us for consideration, it is still more no mean achievement. We have been handicapped, each and every one of us, myself included, by the background which we have. We are each of us representing a district and, representing a district, it is difficult for us at times to remember at all times that above all we are Bostonians. We have had that difficulty, each one of us, and we have all met it, to our credit be it said. When the occasion has arisen to consider Boston rather than our particular district, we have considered Boston. As a glowing example of that, at the last meeting of the City Council, to our credit be it said, we met the test. We are now confronted with another test. Are we going to conduct ourselves in a manner that will merit the approval and commendation of the citizens of Boston, or are we going to do a childish and unfortunate thing? I hope whatever embarrassment is caused by the form of the motion will be recognized as due to the fact that the City



Council is offered an opportunity to do an unmerited thing, and that that, and not any conduct of the Chair, is the real cause of whatever embarrassment may be felt around here. I do not propose to have anybody except myself say what was in my mind when I voted a year ago this time for a president of the City Council. Speaking just as frankly as the speaker who preceded me, I had only one thing in mind, and I don't see how anybody else could have had in mind anything except what was pointed out by the gentleman from the Dorchester district, and that is the election of a president during the pleasure of the Council.

On motion of Coun. FITZGERALD, the Council voted at 3 p. m. to take a recess until 3.15 p. m. The Council was called to order by President KEENE at 3.44 p. m.

President KEENE—The Council will please come to order.

Coun. DOWLING—Mr. President, earlier in the session—

President KEENE—The councilor is not in order at this time. The Council will please come to order. The question before the house is on the passage of the order that the President of the Boston City Council be and hereby is removed from office. The question comes on the passage of the order and the vote will be by roll call. I want to say, gentlemen, inasmuch as the order has been presented, I want nobody to feel any embarrassment—

Coun. GILBODY—Mr. President—

President KEENE—Just a moment, Councilor. The question was submitted to the justices of the Supreme Court of the United States in the case of the officers of the Legislature, when there was an enactment changing from yearly to biennial elections. The rule of law is that the presiding officer of any assembly can be removed by the same number of votes by which he was elected. The question comes on the passage of the order.

Coun. WARD—Mr. President, I had an understanding that that order offered by Coun. Dowd was going to be withdrawn, that the President was going to resign and that we were going to proceed to the election of a new president.

President KEENE—The Chair would necessarily, Coun. Ward, have to rule that out of order, inasmuch as there is no vacancy at this time.

Coun. DOWD—Mr. President, am I right, I will ask the President, in assuming that the order I have presented is perfectly legal and the only way to elect a new president, or not?

President KEENE—The councilor is absolutely correct.

Coun. DOWD—Then, Mr. President, I would ask whether a motion to proceed to a new election is in order, or whether the Chair rules it out of order?

President KEENE—It will have to be ruled out of order, because there is no vacancy at this time. The councilor has taken the only proper and legal way in which to meet the issue.

Coun. DOWD—Mr. President, in drawing up my order, I went into it very carefully. I did not desire to embarrass any member of this Council or the President. As I stated at the outset, the President has been a very fair, very impartial and very efficient presiding officer of this Council. But I also believe that a term of one year as president is sufficient for any one man in a body of twenty-two members. Here we are in this Council, thirteen Democrats, and I believe we should have a Democrat as presiding officer. Under the motion before the house, while it is to remove the President, I don't care who the Democrat is if he votes to retain the President, he is voting to retain a Republican President for another year. I believe it is about time that we should take some action on this order.

Coun. FITZGERALD—Mr. President, I desire to offer an amendment to the order offered by Coun. Dowd.

President KEENE—The gentleman will state his proposed amendment.

Coun. FITZGERALD—That we proceed to the election of a President of the Boston City Council for the year 1927.

President KEENE—The Chair must, Coun. Fitzgerald, rule that out of order. I might at this time, for the information of the members, read a memorandum.

The Chair, with great reluctance, feels obliged to rule the motion out of order for the reason that no vacancy exists in the office of President of the City Council. On January 4, 1926, the Council voted to proceed to the election of a President and

on the eighth vote the present presiding officer was elected. There is no provision governing the President's term of office in the rules and the facts as shown by the record are that no time limitation was expressed in the several motions made in connection with the election. It is true that the stenographic report of the meeting contains an announcement by the temporary presiding officer of the result of the vote and a statement by him that the President was elected for the year 1926, but it is obvious that that statement was merely an expression of opinion, and is in no sense declaratory of the actual legal situation unless it is borne out by the facts. (See *Ogden v. Cudworth*, Supreme Ct. Decision, Jan. 4, 1927.) An identical situation occurred in the Massachusetts Legislature the first year of biennial elections. The President of the Senate and the other officers were elected without any limitation of time in the vote by which they were elected, and in answer to questions submitted by the Senate the justices of the Supreme Court furnished an opinion (239 Mass. 603) which was confirmed as law in 253 Mass. 525, from which the following is quoted:

"Q. In the absence of any rule defining their respective terms, and in the absence of any provision defining the term in the vote by which they were elected, would such officers hold for one year or two years?"

The justices replied to this question as follows:

"The answer to the third question is that such officers will hold, under the circumstances there stated, for two years unless that term shall be shortened by vote of the Senate."

I do not propose to weary the Council by citing the opinions of the Attorney-General, the Corporation Counsel and others familiar and expert in parliamentary law and practice for the reason that the opinion of the Supreme Court seems to be conclusive. If the President was elected for the term of two years there is no vacancy and the motion to proceed to the election of a President is clearly out of order, and I am compelled to so rule.

It is a well established rule of parliamentary law that the presiding officer of a body is removable, at the pleasure of the body, by the same vote by which he was elected. In this connection it may be of interest, perhaps, to quote from Cushing, par. 299:

"The presiding officer, being freely elected by the members by reason of the confidence which they have in him, is removable by them, at their pleasure, in the same manner (i. e., by the same vote), whenever he becomes permanently unable by reason of sickness or otherwise to discharge the duties of his place and does not resign his office; or whenever he has, in any manner, or for any cause, forfeited or lost the confidence upon the strength of which he was elected."

If, therefore, the present presiding officer has so conducted himself in the office as to forfeit the confidence and trust of the members of this body the proper procedure is to remove him from his position and not to attempt by indirection and subterfuge to obtain a new presiding officer. Accordingly, the Chair must rule the motion out of order, and we will now proceed to act on the order introduced by Coun. Dowd.

Coun. GILBODY—Mr. President, I desire to ask that the decision in 242 Mass. be brought into the Council and read to the Council, in view of the fact that I think there may be slight misinterpretation placed on the decision by the various members of the body. Couns. Mahoney and Dowd have brought before us the fact that the order is introduced in all fairness, despite the smoke screen that has been attempted to be created in the Council Chamber to the effect that we are giving to our present presiding officer a slap in the face, a knock on the chin, or anything else. I think such statements are decidedly out of order, and I respectfully ask that we get the decision in 242 Mass. and that it be read in its entirety—not that I doubt the sincerity of the President in quoting certain passages in his favor. I think, however, if the whole opinion is read, not simply referring to sickness, misconduct, malfeasance, nonfeasance in office or anything else, the body can have before it the whole opinion and then can govern itself accordingly. It is entirely within the province of the Council to vote for a new presiding officer, I understand, regardless of the facts quoted, and I am going to ask the City Messenger if he will get that report and I will then ask to have it read.

President KEENE—Will the City Messenger

get 239 Mass.? The Chair will state that the opinion of the justices of the Supreme Court, referred to by him, is in 239 Mass., 603.

Coun. GILDODY—Mr. President, I stand corrected.

(The City Messenger procured a copy of 239 Mass., handing it to President Keene.)

PRESIDENT KEENE—Gentlemen, this is the opinion of the justices to the Senate:

"Since the ratification and adoption of Article 64 of the amendments to the Constitution, the Constitution of the Commonwealth does not require that the officers of the Senate be elected for each annual session, but they may be elected to serve throughout the two-year term of the General Court and until its dissolution.

"It is competent for the Senate by rule to limit the terms of its officers to one year or to provide that such terms shall be coextensive with the period for which the Senate was elected.

"The election of officers by the Senate on January 5, 1921, without any rule defining their terms of office, imported that the officers so selected should serve during the pleasure of that Senate and they will hold office for two years unless that term is shortened by vote of the Senate.

"The following order was passed by the Senate on May 27, 1921, and was transmitted to the Justices of the Supreme Judicial Court on June 3, 1921, after the adjournment of the annual session of the General Court on May 28, 1921."

"Whereas, The Constitution of the Commonwealth provides in Article VII of section II, chapter I, that the Senate shall choose its own president, appoint its own officers and determine its own rules of proceedings, and

"Whereas, Acting in pursuance of said provision, the Senate did, on the fifth day of January, nineteen hundred and twenty-one, elect a president and other officers, as appears from the journal of the Senate, a copy of which for said date is hereto annexed, and—

We would like to have Coun. Gilbody present in the Chamber.

(Coun. Gilbody, who had temporarily gone to the anteroom here returned.)

PRESIDENT KEENE (Continuing)—

"Whereas, Grave doubt exists as to whether the officers so elected are the duly elected officers of the Senate for the entire term of the members thereof, as defined in Article LXIV of the amendments to the Constitution, or whether the Constitution requires that they be elected for each annual session, therefore be it

"Ordered, That the Senate require the opinions of the Honorable the Justices of the Supreme Judicial Court on the following important questions of law:

"1. Does the Constitution require that the officers of the Senate be elected for each annual session, or may they be elected to serve throughout the two-year term of the General Court and until its dissolution?

"2. Is it competent for the Senate by rule to limit the term of its officers to one year or may its rules provide that said term shall be coextensive with the period for which the Senate was elected?

"3. In the absence of any rule defining their respective terms, and in the absence of any provision defining the term in the vote by which they were elected, would such officers hold for one year or for two years?

"On January 4, 1922, there was read to the Senate the opinion of the justices which had been filed with the clerk of the Senate on October 31, 1921, and which was as follows:

To the Honorable the Senate of the Commonwealth of Massachusetts:

"The Justices of the Supreme Judicial Court, having considered the questions in the order of May 27, 1921, a copy whereof is hereto annexed respectfully submit these answers:

"The Senate is required by chapter 1, section 2, Article 7 of the Constitution to "choose its own president, appoint its own officers, and determine its own rules of proceedings." Neither this nor any other provision of the Constitution by express words fixes the term for the president or for any of the other officers of the Senate. From the adopting of the Constitution until the year 1920, senators were elected annually for a term expiring on the preceding the first Wednesday of the second January after the annual state election at which they were chosen. Constitution Massa-

chusetts, chapter I, section 2, Articles 1, 2, 3; Amendments, Articles 10 and 15. It follows from these provisions that the officers of the Senate could not serve as a constitutional right for longer than the constitutional life of the Senate itself. The clerk of the House of Representatives of the United States by old usage is said to continue in a new Congress. It was almost inevitable that the membership of the Senate would be altered more or less with every annual election. Each member, whether elected for the first time or re-elected, sat by virtue of a fresh election. The official life of the Senate as a legislative body was thus limited to a single year.

"The ratification and adoption of Article 64 of the Amendments changed this. Biennial elections are thereby substituted for annual elections. The term of office of each senator is two years in place of one year as theretofore. The official life of the Senate as a legislative body is thereby lengthened to two years instead of being limited to the one year previously established. The provision of section 3, Article 64 of the Amendments that "The general court shall assemble every year," does not break the continuity of the Senate as a legislative body. It simply assures two sessions of one legislative body. In this particular the two branches of the General Court now resemble the House of Representatives of the Congress of the United States, which although required by Article 1, section 4 of the Constitution of the United States to "assemble at least once in every year," is nevertheless a single continuous legislative body during the two years for which by section 2 of the same article its members are chosen.

"To the first question we answer that the Constitution does not require that the officers of the Senate be elected for each annual session, but they may be elected to serve throughout the two-year term of the General Court and until its dissolution.

"The power conferred upon the Senate to 'appoint its own officers, and determine its own rules of proceedings,' by implication grants authority to fix the terms of such officers for periods not exceeding its own official life. That whole subject is within the control of the Senate.

"To the second question the answer is that it is competent for the Senate by rule to limit the term of its officers to one year, or to provide that said term shall be coextensive with the period for which the Senate was elected.

"The election of officers of the Senate by the votes shown in the journal of the Senate, copy of which accompanies the order, under the constitutional provisions to which reference has been made, in the absence of any rule fixing the term, imports that the several officers shall serve during the pleasure of the Senate. Unless contrary action is taken by the Senate, they serve during the life of the Senate as a legislative body.

"The answer to the third question is that such officers will hold under the circumstances there stated for two years unless that term shall be shortened by vote of the Senate.

"For convenience in answering these questions the official term of the members of the Senate has been designated as two years, although speaking with strict accuracy, under Article 64 of the Amendments to the Constitution, it extends from the first Wednesday in January succeeding their election . . . to the first Wednesday in January in the third year following their election and until their successors are chosen and qualified.

. . . The official existence of a particular Senate, and, in the absence of a vote of contrary tenor, of its president and its officers, precisely corresponds to these words of the amendment.

"The order submitting these questions was not transmitted to us until after the adjournment of the session of the General Court for 1921. Therefore the answers were not given precedence over other pressing work of the court but are returned before the reassembling of the Honorable Senate.

Coun. GILDODY—Mr. President, I would like to ask if there are any such words in the decision as were mentioned in your statement—such as sickness, malfeasance, nonfeasance in office, and so on?

President KEENE—The Chair will say that in that connection he was quoting from Cushing's Manual, paragraph 299.

Coun. GILDODY—I beg your pardon, Mr. President, I thought you were reading from the Massachusetts report.



President KEENE—No. The rule is that a President may be removed at any time by the same number of votes by which he was elected, regardless of the term of his election. The question is on the passage of Coun. Dowd's order, and the Clerk will call the roll.

Coun. DOWD's order, declaring the President removed from office as President, was put upon its passage, and the Clerk was directed to call the roll.

When Coun. Bush's name was called, it appeared that he was in the anteroom, and word was sent to him through the City Messenger that a roll call was in progress. He presently entered the chamber and voted. When Coun. Fitzgerald's name was called it appeared that he likewise was temporarily absent.

Coun. GILBODY—Mr. President, I rise to a question of personal privilege. Inasmuch as when Coun. Bush's name was called and he was absent, notification was sent to him that a roll call was in progress, I think we ought to extend the same courtesy to Coun. Fitzgerald, notifying him that the roll is being called on this important question.

Coun. FITZGERALD re-entered the chamber at this moment, and was recorded.

The result of the roll call was as follows:

Yeas—Coun. Donovan, Dowd, Dowling, Fitzgerald, Freeley, Gilbody, Green, Heffernan, Lynch, Mahoney, McGrath, Ward—12.

Nays—Coun. Arnold, Bush, Englert, Cuild, Keene, McMahon, Parkman, Ruby, Wilson, Wragg—10.

President KEENE—There having been twelve votes in the affirmative and ten in the negative, the President is removed. The President will now call Coun. Dowling, the senior member, to the chair.

Coun. DOWLING here took the chair.

Coun. WILSON—Mr. President, I move that we adjourn.

Coun. GUILD—Mr. President, I second the motion.

Chairman DOWLING put the motion, which was declared lost.

Coun. WARD—Mr. President, I move that we proceed to the election of a President.

Coun. WARD's motion was declared lost. Coun. Ward doubted the vote and asked for a rising vote. The motion was declared carried by a rising vote, 14 to 8.

Chairman DOWLING—The Clerk will call the roll, and each member will express his choice when his name is called.

The roll was called, and the members expressed their choice for President, with the following result.

For Charles G. Keene—Coun. Arnold, Bush, Englert, Cuild, Keene, Parkman, Ruby, Wilson, Wragg—9.

For John J. Heffernan—Coun. Donovan, Dowd, Freeley, Gilbody, Heffernan, Lynch, Mahoney, McGrath, Ward—9.

For Timothy F. Donovan—Coun. Fitzgerald, Green, McMahon—3.

For Henry Parkman, Jr.—Coun. Dowling—1.

Chairman DOWLING—The result of the ballot just taken is one vote for Coun. Parkman, three for Coun. Donovan, nine for Coun. Heffernan and nine for Coun. Keene, and there is no choice.

Coun. MAHONEY—Mr. President, I move that we take a recess for ten minutes.

Coun. RUBY—Mr. President, prior to our taking a recess I would ask unanimous consent to introduce a few orders relating to lighting facilities that are sadly needed on Franklin Field.

(Unanimous consent was not accorded.)

Coun. MAHONEY's motion to take a recess for ten minutes was carried at 4:08 p. m. The members reassembled in the Council Chamber and were called to order by Chairman DOWLING at 4:19 p. m.

#### ARC LAMPS ON FRANKLIN FIELD.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install additional electric arc lamps on Franklin Field.

Passed under suspension of the rule.

#### ARC LAMP ON WOOLSON STREET.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor,

to install an electric arc lamp at the corner of Woolson street and Blue Hill avenue, Ward 14.

Passed under suspension of the rule.

#### LAMP ON MICHIGAN AVENUE.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an electric arc lamp at the corner of Michigan avenue and Erie street, Ward 14.

Passed under suspension of the rule.

#### REPAVING OF ERIE STREET.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Erie street, from Glenway street to Washington street, Ward 14.

Passed under suspension of the rule.

#### APPORTIONMENT OF COUNTY OF SUFFOLK EXPENSES.

Coun. PARKMAN offered the following:

Resolved, That the City Council favors the enactment of legislation providing for an equitable apportionment of the expenses of the County of Suffolk, between the City of Boston, the cities of Chelsea and Revere and the town of Winthrop.

Passed under suspension of the rule.

Coun. ARNOLD—Mr. President, in connection with that order offered by Coun. Parkman, I would like to make this motion, that the remarks made by Coun. Parkman at the meeting of December 20 in regard to this apportionment be printed as a public document. I do that as the time is short, the legislative committees will be having their assignments, and the remarks then made will be of value to our committee on Legislative Matters, to whom the matter has been referred.

It was voted that the remarks made by Coun. Parkman upon the matter at the meeting of December 20, 1926, be printed as a public document.

#### LOAN IN ANTICIPATION OF TAXES.

Chairman DOWLING—The Chair will at this time withdraw from the Executive Committee the customary order to raise by loan \$25,000,000 in anticipation of taxes. That order has been referred to the Executive Committee, and there has been no opportunity presented for them to pass upon it. Therefore, if there is no objection, the Chair will withdraw the order from that committee, and there will be an opportunity for it to take its first reading at this time.

The order referred to, to raise temporarily by loan such amounts as the City Treasurer may need, not exceeding \$25,000,000 in the total, in anticipation of revenue of the current municipal year, was withdrawn from the Executive Committee, and the question came upon the first reading and passage of the order at this time.

Chairman DOWLING—The Chair will state that the law requires that the order have two readings in fourteen days, so that members may have an opportunity to make any investigation they may desire.

The order was given its first reading and passage, yeas 21, nays 0.

#### IMMEDIATE ACTION ON RADIO CONTROL.

Coun. WARD offered the following:

Resolved, That the Boston City Council go on record as favoring immediate action on radio control legislation, and be it further

Resolved, That copies of this resolution be sent by the Clerk of the Council to the presiding



officers of both branches of Congress, and to each Senator and Congressman of the United States from Massachusetts.

Referred, on motion of Coun. GUILD, to the Executive Committee.

#### UNCLAIMED BAGGAGE.

Coun. FREELEY, for the Committee on Unclaimed Baggage, submitted the following:

Ordered, That the Boston & Maine Railroad be authorized to sell at public auction on or before March 1, 1927, and after publication of the time and place of the sale, according to law, the articles remaining unclaimed in the possession of said railroad in the City of Boston.

Passed under suspension of the rule.

#### SANITARY CONDITIONS IN BARBER SHOPS.

Coun. FREELEY offered the following:

Ordered, That the Health Commissioner be

requested, through his Honor the Mayor, to conduct an investigation of the sanitary conditions in barber shops throughout the City of Boston.

Passed under suspension of the rule.

#### SECOND BALLOT FOR PRESIDENT.

On motion of Coun. WARD, the Council voted to proceed to a second ballot for president. The clerk called the roll, with the following result:

For Charles G. Keene—Coun. Arnold, Bush, Engert, Guild, Keene, Parkman, Ruby, Wilson, Wragg—9.

For John J. Heffernan—Coun. Donovan, Dowd, Freeley, Gilbody, Heffernan, Lynch, Mahoney, McGrath, Ward—9.

For Timothy F. Donovan—Coun. Fitzgerald, Green, McMahon—3.

For Robert G. Wilson—Coun. Dowling—1.

And there was no choice.

Adjourned at 4.30 p. m., on motion of Coun. HEFFERNAN, to meet on Monday, January 17, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, January 17, 1927.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., Coun. DOWLING, senior member, presiding, and all the members present.

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council his Honor the Mayor submitted appointments for the term ending April 30, 1927, as follows:

Constables: James E. O'Brien, 25 Breed street, East Boston; William P. Miles, 11 Groom street, Dorchester.

Weighers of Goods: George J. Condon, Deer Island, for the Penal Institutions Department; John Edward Benson, 27 Jeffries street, East Boston, and James P. McQueeney, 32 Eutaw street, East Boston, for William Culkeen & Sons Company; Clarence R. Dempster, 96 Frederick avenue, Medford, for Boston & Albany Railroad.

Severally laid over for a week, under the law.

## APPROPRIATION FOR EMPLOYMENT BUREAU.

The following was received:

City of Boston,  
Office of the Mayor, January 17, 1927.  
To the City Council.

Gentlemen—I am informed that the funds for the maintenance of the Employment Bureau are practically exhausted, and I feel that the work which is being performed by this Bureau should be continued, and I consequently recommend the adoption of the accompanying order providing that the sum of \$15,000 be appropriated for the further maintenance of this Bureau.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$15,000 be and hereby is appropriated to be expended by the Municipal Employment Bureau, under the direction of the Mayor, in the prosecution of its duties; said sum to be charged to the Reserve Fund, when made.

Referred to the Executive Committee.

## TRANSFER TO BROADWAY BRIDGE.

The following was received:

City of Boston,  
Office of the Mayor, January 17, 1927.  
To the City Council.

Gentlemen,—Under date of August 4, 1926, your honorable body approved a loan order of \$70,000 for the rebuilding of spans 11 and 12 of the Broadway Bridge over the main line tracks of the New York, New Haven & Hartford Railroad in South Boston. Within the last week bids have been received on this item and it now develops that because of certain changes it has been necessary to make in the original design for the rebuilding that the original amount appropriated will not be sufficient to permit the award of the contract to the low bidder. In the opinion of the Public Works Commissioner, an addition of \$10,000 will be necessary to the original amount appropriated. A balance remains in the loan appropriation originally issued for the reconstruction of the Massachusetts Avenue Bridge sufficient to cover the extra amount required for the Broadway Bridge, and, in accordance with the suggestion of the Public Works Commissioner, I am submitting herewith an order providing for the transfer of \$10,000 from this unexpended balance. I respectfully recommend adoption of this order by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Massachusetts Avenue Bridge, \$10,000, to the appropriation for Broadway Bridge, South Boston, \$10,000.

Referred to the Executive Committee.

## LOAN FOR MAKING OF HIGHWAYS.

The following was received:

City of Boston,  
Office of the Mayor, January 17, 1927.  
To the City Council.

Gentlemen,—I submit herewith an order for the providing of an expenditure in the sum of \$1,000,000 for the Street Laying-Out Department, Highways, Making of, in accordance with the provisions of chapter 393 of the Acts of 1906, and respectfully request an early approval of the same by your honorable body so that advantage may be taken of the possibilities of early spring in the preparation of plans for new streets.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

In Board of Street Commissioners,  
January 17, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—The \$1,000,000 loan for highways for the year 1926 has been wholly apportioned. This leaves us without funds for the making of new streets for the current year.

The Board recommends to your Honor the early introduction and passage of the loan order for 1927, so that every advantage may be taken for preliminary work, making of plans, etc.

If this is done an appreciable amount of time may be saved.

Respectfully,  
For the Board of Street Commissioners,  
THOMAS J. HURLEY, Chairman.

Ordered, That the sum of \$1,000,000 be and hereby is appropriated for Highways, Making of, under the provisions of chapter 393 of the Acts of 1905, and that to meet said appropriation the treasurer be authorized to issue from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

## PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

## Claims.

Blanche I. Blazo, for compensation for damage to property by defective catch-basin.

Harry Blumenthal, for compensation for damage to automobile by snow truck.

Hyman Brown, for compensation for damage to property caused by city negligence.

Mrs. Calamara, for compensation for ash barrels destroyed by ashmen.

Charles V. Capillo, for compensation for damage to property by employees of Park Department.

A. B. Chapin, for compensation for damage to automobile by city cart.

J. J. Cremen, for compensation for damage to automobile by city truck.

Joseph D. Doherty, for compensation for injuries caused by an alleged defect in Park and Henley streets.

Humphrey J. Donovan, for compensation for damage to truck by city truck.

J. Gabarino & Co., for compensation for damage to property by water from street entering cellar.

C. Frances Hanley, for compensation for damage to clothing by city wagon.

W. H. Jefferson, for compensation for damage to property by firemen breaking down door.

Taylor G. Jones, for compensation for damage to automobile caused by an alleged defect in Dorchester street.

Sarah Kahn, for compensation for injuries caused by an alleged defect in Gilmer street, Dorchester.

Joseph J. Kengris, for compensation for damage to property caused by stoppage in sewer.



David Kimmell, for compensation for injuries caused by an alleged defect in McLean court.

Richard D. Landers, for compensation for damage to automobile caused by an alleged defect in Adams and Rozella streets.

Edith L. Lewin, for compensation for damage to automobile by city cart.

Golda Margolis, for refund on property taxes.

Charles Martin, for compensation for damage to automobile by city truck.

Massachusetts Baking Company, for compensation for damage to wagon by city truck.

David I. O'Connor, for compensation for damage to taxi caused by an alleged defect at 118 Hamilton street.

Ruth M. O'Connor, for compensation for injuries caused by being struck by city truck.

John T. O'Loughlin *et al.*, for compensation for damage to automobile and personal injuries by city truck.

James A. Parsons, for compensation for damage to car by city truck.

Matthew J. Peters, for compensation for damage to property caused by backing up of sewage.

Pompeo Transporting Company, for compensation for damage to truck by city truck.

John Quinn, for compensation for loss of property at the City Hospital.

Rival Foods, Inc., for compensation for damage to truck by city truck.

Michael S. Rosenbaum, for compensation for damage to property caused by defective sewer pipes.

Seamans & Cobb Company, for refund on refuse tickets.

Winnie E. Sleeper, for compensation for injuries caused by an alleged defect at Washington and Winter streets.

Socony Burner Corporation, for compensation for damage to truck by snow plow.

Leo Venuti, for compensation for injuries caused by break in water main.

Clarence C. Walker, for compensation for damage to automobile by defective traffic signal.

Walters Brothers, for refund on building permits.

Webber & Co., for compensation for damage to truck by city truck.

John A. Whittemore's Sons, for compensation for damage to truck by city truck.

Peter Woods, for compensation for injuries caused by an alleged defect at 1579 Tremont street.

Howe Drug Company, for refund on unused refuse tickets.

#### STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings to be given on January 31 on petitions for storage and sale of gasoline, viz.:

Transportation Buildings Corporation, 1071-1075 Commonwealth avenue, Ward 21, 1,000 gallons.

Anna L. Doherty, 95 and 97 Washington street North, Ward 3, 3,000 gallons.

N. E. Velie Company, 983-987 Commonwealth avenue, Ward 21, 1,000 gallons.

Referred to the Executive Committee.

#### REPORT OF COMMITTEE ON BUDGET CONTROL.

Coun. PARKMAN, for the Special Committee on Budget Control, submitted the following report:

#### REPORT OF THE SPECIAL COMMITTEE

APPOINTED BY THE CITY COUNCIL, NOVEMBER 15, 1926, TO CONFER AND REPORT THEIR FINDINGS AND RECOMMENDATIONS IN REGARD TO BUDGET CONTROL.

Boston, January 10, 1927.

In accordance with the following order of the City Council, dated November 15, 1926, the undersigned committee submits this report.

Ordered, That the Chair appoint two members of the Council as a committee to confer with his Honor the Mayor, the City Auditor, the Budget Commissioner, and the Superintendent of Supplies with a view to providing by ordinance or otherwise for an effective control of expenditures in all city and county departments, in accordance with the intent and terms of the annual budget and appropriation bill, and

That the said committee report the result of such conference, together with its findings and

recommendations, not later than the first meeting of the Council in the year 1927."

Your committee has conferred with the City Auditor, the Budget Commissioner, and the Superintendent of Supplies at various times, has exchanged correspondence with the Committee on Municipal and Metropolitan Affairs of the Boston Chamber of Commerce, the Municipal Administration Service of the National Municipal League, and with other individuals of experience who are interested in the finances of the City of Boston. In addition the Bureau of Administration and Finance of the Commonwealth of Massachusetts has been consulted in regard to the operation of the state's budget system, and such investigation has been made as time and circumstances have permitted of the operation of the city's budget system. It has also, as the Council's order directed, conferred with his Honor the Mayor.

The present budget system was instituted in 1917 in charge of a budget commissioner, and since that time no change has been made in the method of its operation. The findings which the committee makes hereunder have reference simply and solely to certain defects of system which the committee believes to exist and not in any degree to its method of operation under any particular administration. It makes the following specific findings:

#### Findings.

(1) Under the present system there is no method for controlling expenditures to the specific physical items for which the city's money is originally requested in forming the budget, and appropriated in the annual appropriation bill.

(2) Under the existing system there is no method for limiting in advance the expenditure of money within any item to the amount limited by the budget and appropriation bill to that particular item.

1. Taking it for granted that the wisdom of the budget principle has been established by the test of time, not only in city finances but in those of the state and nation, your committee believes that it logically follows that the operation of the budget should not stop at the threshold with its framing by the Budget Commissioner and its acceptance in the Appropriation Bill by the City Council, but should continue throughout the year in an adequate control of expenditures to the purposes and the specific physical items for which the money was appropriated. Under existing conditions the Budget Commissioner's duties and his authority cease with the compilation of the budget upon the requests of the various department heads. In order that any item may appear in the Appropriation Bill in the first instance, the department head must satisfy the Budget Commissioner of the necessity of the particular physical thing which lies behind the mere figure in dollars and cents. And yet, though his authority must be obtained in the first place for the insertion of any item, and though he is the official responsible for the budget and most familiar with its details, he is without power to see that it is carried out. Purchases are made by requisition upon the Superintendent of Supplies who can and does honor them without reference to the Budget Commissioner, subject only to the Auditor's approval, who is not concerned with the control of expenditures to the purposes contemplated in the budget but solely with the auditing problem of whether or not there are sufficient funds remaining in that particular item to cover the purchase contemplated. Your committee is not prepared to state to what degree the budget principle has been, or is being violated on this branch of the inquiry, but it does find that this loophole exists, and that it opens the way to avoid the effective operation of the budget. It believes that, even allowing for unforeseeable expenditures, and necessary elasticity, the budget as presenting a picture of materials to be bought, repairs to be made, and services to be rendered, may become under the existing scheme so distorted and altered by the end of the year as not to be recognizable. Items may be requested and obtained year after year under cover of a showing of necessity and yet never acquired; while other items for which no necessity exists or has been demonstrated may be purchased in their place.

2. The other loophole which the committee finds to exist in the present operation of the budget is in the lack of any effective pre-control of expenditures for any particular item to the amounts

limited in the budget. Your committee intends to distinguish this finding from its first finding as being rather an auditory problem in the administration of the budget than one pertaining to the operation of the budget as applied to the physical things or services lying behind the figures themselves. To some extent one involves the other or rather may be the cause of the other, as the lack of control of expenditures for the purposes contemplated may give rise to expenditure in excess of the amount allowed. They differ perhaps more in the appropriate method of remedy than in their inherent nature. Theoretically if it were possible to estimate exactly in advance all the thousands of material, repairs, services, etc., which the city would require in the course of the year and their exact cost, then a control of expenditures to those physical items would solve all problems. Actually, of course, that can never be the case. The value and market price of commodities are continually fluctuating. There may still exist the power to exceed an appropriation though purchases are restricted to the items for which the money was appropriated, and there is no authority in the financial or other officials of the city to control in any degree the exercise of this power. Furthermore, there are, of course, many ways in which the city may be involved in expenses besides the purchase of equipment and supplies made through the Superintendent of Supplies.

The City Auditor and the Budget Commissioner have admitted that there is no "pre-control," but that "post-control" exists in the sense that the hooks in the Auditor's office reflect expenditures which have actually been made but do not reflect contracts or requisitions which may be outstanding. Your committee has considered section 16 of the City Charter of 1909 (Acts 1909, chapter 486) and recognizes the restriction imposed upon city officials thereunder not to expend in excess of appropriations "except in cases of extreme emergency involving the health or safety of the people or their property." This provision may, however, refer only to a total departmental appropriation and not to the exceeding of the appropriation for any particular item, though the appropriation order annually provides that the appropriation for any particular item shall not be exceeded by any head of department. Under the law, therefore, even under its strongest interpretation, the responsibility rests entirely with the department head to watch his balances for all the items in the appropriation for his department and to take care that he makes no contracts or requisitions the payment for which will involve exceeding the appropriation for any budget item. However, in spite of the prohibition, the end of the year, which sees a general cleaning up of all outstanding contracts and requisitions for the year, finds numerous items for which expenditure exceeds the appropriation. It has been stated to the committee that while this power to incur expense or commit the city to expense in excess of the appropriation for any particular budget item exists, it has not been exercised to a serious degree. However, it does exist and to some extent at least is a source of danger to the proper and effective operation of the budget. "Post-control" is not a preventive nor even a cure. It merely results in regularizing after the event an expenditure of money not originally contemplated. Your committee believes it to be desirable that the power to check the exceeding of appropriations rests with the financial officers of the city.

Your committee is convinced that the foregoing defects explain largely the excessive number of transfers every year which it feels to be an evil, and to indicate in some degree the failure of the budget in operation. It is pertinent to recall a paragraph from the report of the Budget Commission in 1915. (City Document 92, 1915, at page 13):

"Attention has been directed to the fact that the city auditor and the mayor can, by exercising their charter power of transfer, defeat the proposed or any form of segregated budget. This is theoretically true, but the commission assumes that the power to transfer appropriations . . . will not be used for any such purpose . . . and then the report of the Boston Finance Commission for 1922 (Mass. P. D., 88, page 25):

"The experience of the past five years has shown that a segregated budget may be made an aid to extravagance rather than a check upon it, because

of the ease with which department heads can obtain transfers from one item to another, and even from one department to another. In some departments it has become the practice at the end of the year to gather all unexpended items in the budget into one fund, — so easy is it to obtain transfers, — and to expend this sum for a purpose not mentioned in the segregated budget. . . .

"Unless transfers are scrutinized carefully, and department heads are required to show a necessary, urgent and unforeseen reason for each transfer, the segregated budget system as an aid to economy and efficiency not only fails, but becomes an inducement to extravagance. . . ."

The City Auditor and the Mayor continually strive to effect an adequate supervision and control by the department heads, but unless some adequate control is lodged in the auditor's hands, he has not the power under present conditions to avoid the necessity for a large number of transfers which must be allowed and which might otherwise be unnecessary.

The City Council is familiar with the number of transfers which come before it beginning fairly early in the year and increasing in volume until November 15. Towards the latter part of this time they attain such numbers and involve such detail as to make the approval of the Council largely perfunctory, however earnest its intentions and sincere its desire for careful investigation. It seems to your committee that the time to apply the remedy is before the necessity for the transfer arises, and that if a remedy can be found for the two defects considered above the need for many transfers will be found to disappear and the budget system be by so much more effective in operation. Your committee finds therefore that it is desirable in the interests of economy and efficiency that means be devised to control expenditures to the specific physical items for which appropriation was made, and to limit expenditure for any item to the amount allowed for such item in advance of the expenditure being incurred.

#### Recommendations.

In considering what recommendation this committee should make to the Council it gave initial attention to the order which directed it to confer "with a view to providing by ordinance" for the desired control. It appears there may be certain difficulties in so doing under existing law and your committee is not prepared to recommend an ordinance on the subject. That being so, the jurisdiction of the City Council, in view of the prohibition imposed upon it under section 8 of the City Charter, would not extend to any action involving a taking part in the conduct of the executive or administrative business of the city. However, your committee is glad to report that it has received the utmost co-operation from the executive officers of the city who have admitted the existence of the problem and indicated their willingness to solve it.

As to (1) the Auditor and the Budget Commissioner state as follows:

"Under our present budget system the specific physical units which make up or lie behind the appropriation under any one item are lost sight of immediately upon the passage of the budget by the City Council.

It would appear feasible for the Budget Department to co-operate with the Supply Department in regard to the purchases which the latter department makes after receiving requisitions from department heads. At the present time, these requisitions constitute the sole authority for the conduct of the purchasing activities of the Supply Department. This latter department has very little interest in the appropriation side of the picture, since naturally, the department assumes that no requisition would be made unless an appropriation was available. It would seem desirable in the interest of efficiency that the Supply Department should consider the appropriation side of the picture, and this consideration could be very easily effected by the Supply Department referring all departmental requisitions to the Budget Department for approval before starting in any way the machinery of purchase. . . ."

As to (2) they say:

"At the present time, the hooks in the Auditor's office reflect the expenditures which have actually been made by the different departments and which have been allowed by the Auditor's force as being within the original amounts appropriated. In other words, the control which is now exercised may be termed as post-control. To exercise pre-



control, as is contemplated, it would be necessary to establish a system providing for the encumbering of appropriations as requisitions orders are issued. Under such a system, before any requisition could be honored, it would be necessary to check the estimated purchase cost against the unencumbered balance. Approval of the requisition and subsequent purchase of the material requested would only follow provided the unencumbered balance was sufficient to cover the estimated purchase cost.

The main criticism against this proposal is that the installation of such a system would double the accounting records of the city, since it would be practically necessary to duplicate the records now kept in the Auditor's office. . . ."

His Honor the Mayor has stated to the committee that he would put the first recommendation in effect at once by means of instructions to the Budget Commission and the Superintendent of Supplies and as to the second stated that he would take the matter up further with the City Auditor and consider the feasibility of the proposal.

Your committee recommends therefore that the Council take no action at this time, but that it continue to observe the operation of the budget in order to see whether or not effective control can be obtained by executive order, or whether it is advisable to consider further whether legislation or ordinance may be necessary.

Respectfully submitted,

HENRY PARKMAN, JR.  
JOHN J. HEFFERNAN.

The report was accepted, and ordered printed as a city document, on motion of Coun. BUSH.

#### BOILERS WITHIN THE JAIL.

Coun. GUILD—Mr. President, I rise for information in connection with the report of the Committee on the Inspection of Prisons, which was presented at the last meeting and spread on the records without being read. I find on page 10 of the minutes of the City Council this statement of the committee:

"The presence of these boilers within the jail building constitutes a constant menace to the safety of officers and inmates."

The information which I solicit through the Chairman is, in what respect are these boilers a menace? Are they unfit, found lacking as a result of inspection, or in what respect are they unfit?

Coun. LYNCH—Mr. President, while these boilers are not really unfit, they are not in the best of condition. They are in the center of the building and if anything happened—that is, if they blew up in any way, the building itself would be gone and no inmate would have a chance to escape. It has been considered for the past six or seven years that these boilers should be outside the building itself.

Coun. GUILD—I would like to have information upon one other point, if I may. Would boilers which in the opinion of the committee were altogether safe constitute a menace if located in the jail building, or isn't it possible to have any boilers inside the jail building without jeopardizing the lives and safety of the inmates?

Coun. LYNCH—It is considered unsafe to have the boilers in the center of the building.

Coun. GUILD—So the recommendation of the committee is that no boilers of any description should be inside the building?

Coun. LYNCH—Yes.

#### PROPOSED DARTMOUTH STREET BRIDGE.

Coun. GUILD offered the following:

Resolved, That the Boston City Council hereby favors the enactment by the General Court of the Commonwealth of Massachusetts of legislation to authorize the construction of Dartmouth Street Bridge, between the cities of Boston and Cambridge, and for authority to meet the expense by loan outside the limit of indebtedness.

Coun. GUILD—Mr. President, I would like to state in introducing that resolution that under a new rule of the Massachusetts Legislature—Joint Rule No. 7B, I think—petitions for legislation for pensions, for expenditure of money outside the debt limit, and for two or three other kinds of bills involving expenditure, are by the rule now referred

to the next annual session, unless the cities concerned give their approval in advance. This is a more or less perfunctory matter, enabling the bill introduced into the Legislature on that subject to be referred to the proper committee and to have hearings held this year, instead of being held up for a year. The city of Cambridge, I am informed, has already given its consent to the enactment of legislation along the lines indicated by the resolution I have introduced. I move, therefore, a suspension of the rule and the passage of the resolve. The resolve was passed under a suspension of the rule.

#### PENSION TO WIDOW OF DANIEL T. DINEEN.

Coun. WRAGG offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to continue the pension heretofore allowed to the widow of Daniel T. Dineen, late a member of the Fire Department.

Coun. WRAGG—Mr. President, this resolution that I have introduced comes within the same category as that specified by the councilor from Ward 19 (Coun. Guild). I would, therefore, ask the suspension of the rule for its passage.

The resolution was passed under a suspension of the rule.

#### INCREASE FOR FIREMEN.

Coun. McGRATH offered the following:

Ordered, That his Honor the Mayor be requested to include in the budget for 1927 a provision for an increase in salary of \$200 a year for each private in the service of the Boston Fire Department.

Passed under suspension of the rule.

#### REPAVING OF HAROLD STREET.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Harold street, Ward 12.

Passed under suspension of the rule.

#### REPAVING OF MAPLE STREET.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave Maple street, Ward 12, with smooth paving.

Passed under suspension of the rule.

#### PENSION RIGHTS OF JAMES J. MAHAR.

Coun. GILBODY offered the following:

Resolved, That the City Council of the City of Boston favors the enactment of legislation for the restoration of the standing of James J. Mahar as a member of the Boston Retirement System.

Coun. GILBODY—Mr. President, that order comes in the same category as the one referred to in the remarks of Coun. Guild. What he said is also applicable to this resolution, and I move its passage under suspension of the rule.

The resolution was passed under suspension of the rule.

#### REINSTATEMENT OF DAVID M. CLEARY.

Coun. GREEN offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation for the reinstatement in the Fire Department of the City of Boston of David M. Cleary.

Passed under suspension of the rule.

#### BRANCH LIBRARY ON BUNKER HILL STREET.

Coun. GREEN offered the following:

Ordered, That the Trustees of the Boston Public Library be requested, through his Honor



the Mayor, to establish a branch library on Bunker Hill street, Charlestown Heights.  
Passed under suspension of the rule.

#### RETIREMENT ALLOWANCE TO JOHN H. DUNN.

Coun. MAHONEY offered the following:

Resolved, That the City Council of the City of Boston hereby favors the enactment of legislation to authorize the payment of a retirement allowance to John H. Dunn.

Passed under suspension of the rule.

#### ARC LIGHTS ON FATHER BUCKLEY PLAYGROUND.

Coun. MAHONEY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to install two arc lights on the Father Buckley Playground on West Third street, South Boston.

Passed under suspension of the rule.

#### REPAVING OF HARRISON AVENUE.

Coun. DOWD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave Harrison avenue, from Union Park street to Dudley street, Ward 8, with smooth paving.

Passed under suspension of the rule.

#### REPAVING OF DUDLEY STREET.

Coun. DOWD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave Dudley street, between Harrison avenue and Blue Hill avenue, Ward 8, with smooth paving.

Passed under suspension of the rule.

#### INVESTIGATION OF GARBAGE COLLECTION.

Coun. DOWD offered the following:

Ordered, That a committee of five members of the City Council be appointed to investigate the system of collection of ashes and garbage throughout the city, and to report their findings to the City Council, together with such recommendations as they deem appropriate.

Coun. DOWD—Mr. President, I believe it is about time, before the City Council passes the budget for another year, to find out what the subcontractors who are collecting garbage throughout the City of Boston are really doing, and if they are doing the work for which they are getting paid. I believe every member of the Council realizes and knows too well the clause in the contract they have with the City of Boston that calls upon them to employ none but citizens; yet every councilor knows that if he applies to any of these subcontractors, with the possible exception of one, and tries to place a citizen at work, he will get turned down flat. I believe it is about time that the subcontractors should stop putting aliens at work when citizens are available. We have a civil service list, and there are plenty of men on that list who should be employed by the contractors, if only for from three to six months. I think the citizens of Boston ought to know the difference in cost between having contractors do this business and having it done by the City of Boston. I believe every householder is interested in the collection of ashes and garbage, and I think it is about time that the contractors should give to our citizens and taxpayers at least courteous treatment and fair consideration, instead of insulting people when they call for garbage and ashes.

The order was passed under suspension of the rule.

#### WIDENING OF FANEUIL STREET.

Coun. HEFFERNAN offered the following:

Resolved, That the Boston City Council hereby favors the enactment by the General Court of the Commonwealth of Massachusetts of legislation to authorize the widening of Faneuil street, Brighton, and for authority to meet the expense by loan outside the limit of indebtedness.

Coun. HEFFERNAN—Mr. President, that is another order that comes within the classification referred to by Coun. Guild. This is merely in order that the legislation may be admitted at the State House, under the rule.

The resolution was passed under suspension of the rule.

#### REIMBURSEMENT TO JAMES O. JORDAN.

Coun. DOWLING offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to authorize the city to reimburse James O. Jordan for an execution paid by him as a result of a suit on account of his acts as an employee of the Health Department.

Passed under suspension of the rule.

#### BALLOTS FOR PRESIDENT.

Coun. WARD—Mr. President, I move you, sir, that we proceed to the election of a president.

Coun. GUILD—And I move to amend the motion, Mr. President, that if we elect a president it be to serve until December 31, 1927.

Coun. Guild's amendment was adopted, and the motion as amended was carried. The Clerk called the roll and the members when their names were called announced their choice, as follows:

For Charles G. Keene—Coun. Bush, Englert, Guild, Keene, Parkman, Ruby, Wilson, Wragg—8.  
For John J. Heffernan—Coun. Donovan, Dowd, Fitzgerald, Gilbody, Heffernan, Lynch, Mahoney, McGrath, Ward—9.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Timothy F. Donovan—Coun. Freeley, McMahon—3.

Chairman DOWLING—The result of the ballot is, 1 for Parkman, 3 for Donovan, 8 for Keene, and 9 for Heffernan, and there is no choice.

Coun. DOWD—Mr. President, I now move that we proceed to take another ballot for president.

The motion was carried, and the Clerk called the roll, with the following result:

For Charles G. Keene—Coun. Arnold, Bush, Englert, Guild, Keene, Parkman, Ruby, Wilson, Wragg—9.

For John J. Heffernan—Coun. Donovan, Dowd, Fitzgerald, Freeley, Gilbody, Heffernan, Lynch, Mahoney, McGrath, Ward—10.

For Timothy F. Donovan—Coun. Green, McMahon—2.

For Herman Bush—Coun. Dowling—1.

Chairman DOWLING—The result of the ballot just taken is 1 for Bush, 2 for Donovan, 9 for Keene, and 10 for Heffernan, and there is no choice.

Coun. RUBY—Mr. President, I now move that we take a recess subject to the call of the Chair.

Coun. WARD—Mr. President, I move that motion should be amended, that we take a recess for a certain period, if the Council wishes to take a recess at this time. With all due deference, I think it should be for fifteen minutes.

Coun. RUBY—Mr. President, I simply have an idea that we might go into executive session at this time, as usual, and that is the reason for making the motion at this time. There are matters pending before us with which we should consider.

Coun. WARD—Mr. President, I would like to ask if there are some matters before the Executive Committee.

Chairman DOWLING—There are a number of matters before the Executive Committee.

Coun. RUBY—That is the object of my motion, Mr. President.

Coun. DOWD—Mr. President, I see no real reason why the Council should take a recess at this time. I believe we have some business to attend to. The most important business before us at the present time is the election of a president. I believe it is our duty to stay here, if possible, until such time as we may agree upon a president. I cannot understand why an effort should be made to take a recess of this kind, at this time.

Chairman DOWLING—The question is on the motion to take a recess.

Coun. RUBY—Mr. President, my object in moving that we take a recess is simply, now that the preliminary business of the session is out of the way, that we may, as usual, act in executive session upon the matters that come before us, thresh them out and report them back to this body for action. To my mind, the business of electing a president to the Council is of no greater importance than the transaction of the business of the City of Boston. I was not elected to come here and allow other business to take precedence over the business of the city, and to my mind the business of the city is as important, and I believe it is to most of the other members of the Council, as the election of a president. To me, the election of a president is incidental, and the city's business comes first. I made the motion for that reason, because we adjourned last Monday without even going into executive session, although there were pending before us certain matters which had been sent to us by his Honor the Mayor, together with other matters that have come up today, that have been referred to the Executive Committee. I think the election of a president ought not to surpass or override the business we have before us. For that reason I made the motion—not that we go into caucus, not that we go into private conference, but that we go into executive session, and take care of the business that we should take care of. We can then come back and I shall be willing to stay until midnight, if necessary, on the question of electing a president, staying until a president is elected. But I do think we should go through the regular order of business, continuing with that until it is completed, and then elect a president.

(At this point speeches were made by Coun. Green and Heffernan, which were later stricken from the record.)

Coun. FITZGERALD—Mr. President, I hope the motion of Coun. Ruby will prevail, and that we will take a recess. I am not going into any lengthy argument, or going to wash any dirty linen, but will simply say that, while we are a nonpartisan body, it is only fair that we take a recess so that the Democrats may arrive at some fair decision in this matter. Of course, we are elected as a nonpartisan body, but many of us are elected from Democratic districts, and whatever honors we have received in the past we got through Democratic votes. I have served in the Massachusetts House of Representatives and the Massachusetts Senate, and whatever honors I got I got from the Democrats of my district; and whatever honors any Democrat here has received he has received as a Democrat and not as a nonpartisan, and is there a Democrat here who, when he was a candidate for the City Council, would have dared to openly say that he would do other than follow Democratic doctrines? It is unfortunate that the Councilor from Charlestown (Coun. Green) made his speech and that Coun. Heffernan felt moved to say what he did, when we should all get together. Coun. Green may see the light and feel a little differently if the matter is intelligently debated and argued. But I want to say to the people of Boston that whatever difficulties the Democratic party here has gotten into are due to Democratic members, because at the beginning many of the members were not fair to each other; and I want to say that what Coun. Green said is so, that when I entered the Democratic caucus I saw only five in the chamber, and there were only five names in the hat; they pulled something out of the hat and left immediately when I entered—

Chairman DOWLING—The Chair would remind the Councilor that he is exceeding the scope of the motion to take a recess.

Coun. FITZGERALD—Excuse me, Mr. President. After the caucus was called and the matter was debated, it became evident that the Democrats had agreed on John J. Heffernan. Then the members went into caucus later and Heffernan received eight votes. Donovan had never released me; and it is a fact that certain Democrats would not vote for any Democrat who came from the Tenth Congressional District, notwithstanding the fact that no Democratic mayor can be elected who does not receive a majority in that district. Curley left Dover street with 5,700 majority, and many men, mayors and others holding public office, would never have been heard of but for the votes of Charlestown, East Boston and the ward I come from. Had it not been for the vote

given by Charlestown, East Boston and my section, men who have become prominent in Dorchester and other parts of the city would never have been on the map—and history will prove it. The ward I come from has stood as a unit, a bulwark. It is unfair that this thing has taken place here, but we can get together in a caucus, and the people of this city are looking to us to do something. There are Democratic members of this Council who, as we know, in previous years have voted for a Republican. The records will prove that. Now they cry out in loud tones and cast insinuations. Personally, I have been with and have voted for Mr. Donovan for the presidency of this body, but I agreed at last that I could not vote for him longer, and I voted for Mr. Heffernan, who had the majority of the Democratic votes, and I apologize to none for my act. If Coun. Heffernan cannot get the Democrats, I think he is fair and will see the light. But he has at the present time received a majority of the Democratic votes, and I think is today the choice of the Democrats. Coun. Green has not perhaps been treated as he should be treated, on the basis of the record of himself and his family in the Democratic party. His father was a sterling member of that party, prominent in city, state and national politics, long before many who are here now were born, and his son has come after him as a staunch and loyal supporter and representative of that party. Coun. Donovan's father was one of the old wheel horses of the Democratic party, helping to make it what it is today, and served in the Council and in the House of Representatives. I have been identified with the party for years and years, and my people before me, and we have done something for the Democratic party and have had occasion to show what we could do. But we find this situation prevailing here. I say to all the Democrats present in this body, let us get together, let us have harmony in this matter. I say that, coming from the only district in Boston that maintains and has consistently maintained for years a Democratic organization, and men sitting in this body and serving here as representatives of the people can verify my statement that they are doing so with the help of the people of my ward. I have stood at the polls there until six o'clock on one of the toughest days we had, and the precinct where I was gave more votes to George Gilbody than he received in his own precinct in the ward he came from and that will be shown by the records. We have a Democratic organization, an organization that has existed for years, and an organization whose work counts on every election day. Let him look the records up and see if that is not so.

Coun. Ruby's motion, that the Council take a recess, subject to the call of the Chair, at 3.01 p. m. The members reassembled in the Chamber and were called to order by Chairman Dowling at 4.20 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GUILD, for the Executive Committee, submitted the following:

1. Report on message of the Mayor and order (referred January 10) appropriating \$25,000 to be expended by the Traffic Advisory Committee, under the direction of the Mayor, in the prosecution of its duties, said sum to be charged to the Reserve Fund when made—that the same ought not to pass.

Report accepted; said order rejected.

2. Report on order transmitted by the Mayor (referred today) that the sum of \$15,000 be and hereby is appropriated to be expended by the Municipal Employment Bureau, under the direction of the Mayor, in the prosecution of its duties, said sum to be charged to the Reserve Fund when made—that the same ought to pass.

Report accepted; said order passed, yeas 20; nays (Coun. Dowling), 1.

3. Report on resolution (referred January 10) that the City Council of Boston favors the enactment of legislation authorizing the borrowing by the City of Boston outside the debt limit of \$3,000,000 to be used for the erection of a new courthouse for Suffolk County—that the same ought to pass.

Report accepted; said resolution passed.

4. Report on order transmitted by the Mayor (referred today) authorizing the City Auditor, under authority of chapter 261 of the Acts of 1893, to transfer from the appropriation for Massa-



chusetts Avenue Bridge to the appropriation for Broadway Bridge, South Boston, \$10,000—that the same ought to pass.

Report accepted; said order given its first reading and passage, yeas 22, nays 0.

#### COMMITTEE ON CLAIMS.

Coun. PARKMAN, for the Committee on Claims, submitted a report on the petition of Thomas F. Callahan (referred December 31, 1926), recommending the passage of the following order:

That the sum of one hundred fifty dollars be allowed and paid to Thomas F. Callahan in reimbursement for the amount of a judgment against him on account of his acts as a fireman, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

#### COMMITTEE ON SOLDIERS' RELIEF.

Coun. GILBODY, for the Committee on Soldiers' Relief, submitted report recommending passage of order for payment of aid to soldiers and sailors and their families in the City of Boston for month of January, 1927.

Report accepted; order passed.

#### ANOTHER BALLOT FOR PRESIDENT.

Coun. WARD—Mr. Chairman, I move that we proceed to ballot for a president.

Coun. GUILD—And I move as an amendment to the motion, Mr. President, for the term expiring December 31, 1927.

The amendment was adopted, and the motion as amended was carried.

The Clerk called the roll and the members when their names were called announced their choice, as follows:

For Charles G. Keene—Coun. Arnold, Bush, Englert, Guild, Keene, Parkman, Ruby, Wilson, Wragg—9.

For John J. Heffernan—Coun. Donovan, Dowd, Fitzgerald, Freeley, Gilbody, Green, Heffernan, Lynch, Mahoney, McGrath, Ward—11.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Timothy J. Donovan—Coun. McMahon—1.

Chairman DOWLING—The result of the ballot just taken gives 1 for Parkman, 1 for Donovan, 9 for Keene, and 11 for Heffernan, and there is no choice.

#### MOTION TO ADJOURN.

Coun. WILSON—Mr. President, I move to adjourn.

The motion was declared lost. Coun. WILSON doubted the vote, and asked for the yeas and nays.

The motion to adjourn was lost, yeas 10, nays 12:

Yeas—Coun. Arnold, Bush, Englert, Fitzgerald, Guild, Keene, Parkman, Ruby, Wilson, Wragg—10.

Nays—Coun. Donovan, Dowd, Dowling, Freeley, Gilbody, Green, Heffernan, Lynch, Mahoney, McGrath, McMahon, Ward—12.

#### ADDITIONAL BALLOT FOR PRESIDENT.

Coun. McGRATH—Mr. President, I move that we proceed to ballot for a president.

Coun. WARD—And I move to amend, Mr. President, that it be for the term ending December 31, 1927.

Coun. McGRATH—Mr. President, I rise to a point of order. This Council will be through its duties early in January of the following year, 1928, when the Council will complete the duties for which it is elected and its term will terminate, the president whom we elect, therefore, automatically being no longer President of the Council.

Coun. GUILD—Mr. President, the councilor who has just spoken apparently misses the point of the amendment offered. The undertaking we are at present engaged in was precipitated by an alleged misunderstanding with regard to the term of office of a President of this Council, and the sole object of the amendment which has been offered by myself from time to time, and now by

the councilor who sits at my right, is to avoid a repetition of the interesting proceeding we are now having at the expiration of say, four months or five months, when somebody becomes disgruntled.

Coun. WILSON—Mr. President, I would like to be recorded in favor of Coun. Guild's remarks with the exception of the words "alleged misunderstanding."

Chairman DOWLING—The Chair would suggest, anyway, that the term would end the first Monday in January. That would be the correct date for the amendment, and if there is no objection the Chair will put the vote in that way.

The amendment, that the President, if elected, be elected for the term ending the first Monday in January, 1928, was adopted, and the motion to proceed to a vote for president, with that amendment, was carried.

The Clerk called the roll, and the members when their names were reached announced their choice as follows:

For Charles G. Keene—Coun. Arnold, Bush, Englert, Guild, Keene, Parkman, Ruby, Wilson, Wragg—9.

For John J. Heffernan—Coun. Donovan, Dowd, Fitzgerald, Freeley, Gilbody, Green, Heffernan, Lynch, Mahoney, McGrath, Ward—11.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Timothy J. Donovan—Coun. McMahon—1.

Chairman DOWLING—By the ballot taken, Coun. Parkman has received 1 vote, Coun. Donovan 1, Coun. Keene 9, and Coun. Heffernan 11, and there is no choice.

#### A MOTION TO ADJOURN.

Coun. WILSON moved to adjourn; declared lost.

Coun. GUILD moved that the Council take a recess for ten minutes; declared lost.

#### ANOTHER BALLOT FOR PRESIDENT.

Coun. McGRATH—Mr. President, I trust, sir, that on the next ballot, when we proceed to ballot for a presiding officer of this body, the members of the body who are in state politics known as Democrats shall follow through, so that their democracy cannot be questioned. I feel that perhaps there was a lot of truth in what the gentleman from Charlestown said awhile ago, although I am not at liberty now to discuss the proceedings in the caucus just held, because it was a secret caucus. But the gentleman from Charlestown impressed me, and I think impressed every other member of this Council who was in attendance at the caucus, by his frankness. He showed to me beyond the shadow of a doubt that he had entered into a gentleman's agreement that was so binding that it could not be broken without the consent of others. I can say, for the information of those who sit around this room, that we agreed to go through with the gentleman from Brighton whose name has been submitted for this office here, and the gentleman from Charlestown said, "I will show you that I am big enough to so vote as to avoid dissension in the party I love." The gentleman from Brighton releases us on this ballot and I hope that those here who desire to act in the interest of harmony will continue through the next two ballots to a third one, because at that time I feel that we can select one whose democracy can never be questioned, one who comes from a district the democracy of which has never been questioned. The name of the gentleman that I wish to submit to you now is the name of one who can preside as ably and as efficiently as any member of this Council. With all due respect to all the other members, and without further words, I hope that we will now vote to proceed to a ballot and to follow through for a real man in politics and in personal life, William G. Lynch of South Boston. I trust now, Mr. Chairman, that we will vote to proceed to the election of a president.

Coun. GUILD—And I renew my amendment, Mr. President, that it be for the term ending the first Monday in January, 1928.

The Council voted to proceed to the election of a president for the term ending the first Monday in January, 1928.



The Clerk called the roll, and as the members' names were reached, they voted for their choice, with the following result:

For Charles G. Keene—Coun. Arnold, Bush, Englert, Guild, Keene, Parkman, Ruby, Wilson, Wragg—9.

For William G. Lynch—Coun. Dowd, Freeley, Gilbody, Heffernan, Lynch, Mahoney, McGrath, McMahon, Ward—9.

For Timothy F. Donovan—Coun. Donovan, Fitzgerald, Green—3.

For Henry Parkman, Jr.—Coun. Dowling—1.  
Chairman DOWLING—The result of the ballot just taken is as follows: 1 for Coun. Parkman, 3 for Coun. Donovan, 9 for Coun. Keene, and 9 for Coun. Lynch, and there appears to be no choice.

Coun. McGRATH—Mr. Chairman, I move you that we proceed to the election of a president.

Coun. GUILD—Aud. Mr. Chairman, I move the usual amendment, that it be for the term ending with the first Monday in January, 1928.

The amendment was adopted, and the motion as amended was carried.

The Clerk called the roll, with the following result:

For Charles G. Keene—Coun. Arnold, Bush, Englert, Guild, Keene, Parkman, Ruby, Wilson, Wragg—9.

For William G. Lynch—Coun. Dowd, Freeley, Gilbody, Heffernan, Lynch, Mahoney, McGrath, McMahon, Ward—9.

For Timothy F. Donovan—Coun. Donovan, Fitzgerald, Green—3.

For Horace Guild—Coun. Dowling—1.

Chairman DOWLING—The result of the ballot just taken is, 1 for Coun. Guild, 3 for Coun. Donovan, 9 for Coun. Keene, and 9 for Coun. Lynch, and there is no choice.

#### A MOTION TO ADJOURN.

Coun. GUILD—Mr. Chairman, I move that we adjourn.

The motion was declared carried. Coun. DOWD doubted the vote and asked for a verification by yeas and nays.

The motion to adjourn was lost, yeas 9, nays 13:  
Yeas—Coun. Arnold, Bush, Englert, Guild, Keene, Parkman, Ruby, Wilson, Wragg—9.

Nays—Coun. Donovan, Dowd, Dowling, Fitzgerald, Freeley, Gilbody, Green, Heffernan, Lynch, Mahoney, McGrath, McMahon, Ward—13.

#### RECESS.

Coun. GILBODY—Mr. Chairman, I move that we take a recess for ten minutes.

The motion was declared lost. Coun. McGRATH doubted the vote and asked for a rising vote. The Council stood divided, and the motion prevailed, 11 to 8.

The Council took a recess at 4.45 p. m., and were called to order by Chairman DOWLING at 4.55 p. m.

Chairman DOWLING—The time having arrived to which the Council took a recess, the body will now come to order.

Coun. ARNOLD—Mr. Chairman, I move that we do now adjourn.

Coun. DONOVAN—Mr. Chairman, ———  
Chairman DOWLING—No debate is in order on a motion to adjourn.

The Council voted to adjourn at 4.58 p. m., to Monday, January 24, at 2 p. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Monday, January 24, 1927.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at 2 p. m., Chairman DOWLING, senior member, presiding, and all the members present.

## APPOINTMENT BY THE MAYOR.

Subject to confirmation by the Council his Honor the Mayor submitted appointment for term ending April 30, 1927, viz.:

Weighter of Goods: S. J. Rubin, 24 Ralston street, Mattapan, for Blue Hill Coal Company.

Laid over a week under the law.

## SANITARY CONDITIONS OF BARBER SHOPS.

The following was received:

City of Boston,

Office of the Mayor, January 21, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Health Department in reply to your order of January 10, 1927, in relation to conducting an investigation of the sanitary conditions in barber shops throughout the City of Boston.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Health Department, January 18, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have the honor to acknowledge the receipt of your memorandum of January 14, 1927, transmitting an order of the City Council requesting that the Health Commissioner conduct an investigation of the sanitary conditions in barber shops throughout the City of Boston.

This department has recently made a survey of the barber shops of this city, which were found to be in good sanitary condition.

New regulations covering the conduct of this business have been prepared by this department and are to be distributed this week to all barber shops.

I am inclosing copies.

Yours respectfully,

FRANCIS X. MAHONEY,  
Health Commissioner.

Placed on file.

## APPROPRIATION FOR TRAFFIC ADVISORY BOARD.

The following was received:

City of Boston,

Office of the Mayor, January 24, 1927.

To the City Council.

Gentlemen,—Permit me again to call to your attention a letter which was placed before you at the last meeting of your honorable body, calling for an appropriation of \$25,000 to defray the expenses of the Traffic Advisory Board recently appointed to make a comprehensive study of traffic conditions in Boston.

The members of the Board were chosen from various trades and business organizations. They not only represent in an exceptional way the business transactions of the city, but personally they are men whose presence on such a Board brings great promise of usefulness in dealing with a most difficult problem. Other cities have made notable progress in treating with traffic congestion. A solution of the trouble in Boston will prove of inestimable benefit in the advancement of our municipal conditions.

The question of financing this endeavor was dis-

cussed at considerable length by the Board and it was the opinion of all that the question was one of community interest that could best be served by an appropriation of public money.

The Board is called "Advisory" because its work does not touch upon the duties of any existing board or commission. It will devote its efforts to a thorough study of existing rules, regulations and ordinances and the preparation of a plan which may be laid down for general guidance in meeting traffic conditions.

At a meeting held by the Board on Saturday, January 8, 1927, and upon its invitation Prof. Miller McClintock, a recognized expert in traffic regulations, presented a preliminary survey of conditions in Boston and placed before the Board the results of his personal knowledge and observation of progress made by other large cities in handling traffic. As it was the opinion of all members that the survey would be a community benefit, it was unanimously voted that the City of Boston be asked to appropriate the sum of \$25,000 to defray the necessary expenses incident to this survey. Such expenses may be generally itemized as follows:

|                                                                                                                           |                 |
|---------------------------------------------------------------------------------------------------------------------------|-----------------|
| A general organization of a technical staff, including engineering force, field force, checkers, counters and clerks..... | \$15,000        |
| General field supervisor.....                                                                                             | 3,600           |
| Rental of quarters.....                                                                                                   | 2,000           |
| Office expenses, supplies, printing of report, photographs and incidentals..                                              | 4,400           |
| Total.....                                                                                                                | <u>\$25,000</u> |

I respectfully recommend the adoption of the accompanying order by your honorable body.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of twenty-five thousand dollars (\$25,000) be and hereby is appropriated to be expended by the Traffic Advisory Committee, under the direction of the Mayor, in the prosecution of its duties, said sum to be charged to the Reserve Fund when made.

Referred to the Executive Committee.

## PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

## Claims.

Charles Bonanno Laundry and Supply Company, for compensation for damage to wagon by city truck.

James Boutlier, for compensation for damage to automobile by city truck.

Alexander H. Copley, for refund on sewer assessment paid by mistake.

Joseph W. Davis, for compensation for damage to automobile by city cart.

Agostino DeStefano, Angelo Penta, for compensation for damage to property caused by overflow of sewage.

Edison Electric Illuminating Company, for compensation for damage to property by city truck.

Glaziers' Union, for compensation for damage to automobile by city truck.

B. W. Honthumb, for compensation for damage to automobile by city truck.

Albert D. Howlett Company, for compensation for damage to property by ash truck.

M. Louise Hurley, for compensation for injuries caused by an alleged defect at 2-6 Portland street.

S. Levatinsky, for compensation for damage to car by street cleaning truck.

Ella J. McCarthy and Katherine M. McCarthy, for compensation for damage to property caused by water supply being cut off.

John Olson, for compensation for damage to automobile caused by an alleged defect in Longwood avenue.

C. E. Osgood Company, for refund on refuse tickets.

Mary J. Osgood, for compensation for damage to ash cans by ashmen.

M. H. Peavey Transportation Company, for compensation for damage to truck by ash truck.

Abraham Rosenberg, for compensation for damage to property caused by bursting of water pipes.

Ada M. Stanley, for compensation for injuries caused by fall on stairs in City Hall Annex.

Margaret J. Tobin, for compensation for injuries caused by an alleged defect at Morton street and Blue Hill avenue.

Margaret E. Walsh, for compensation for loss of fur coat at City Hospital, Vose House.

Margaret Welch, to be reimbursed for taking of land by city on Faneuil street, Brighton, for sewerage purposes.

Harry Wiseman, for compensation for damage to automobile caused by an alleged defect in Columbus avenue.

#### Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz:

Rev. Richard A. Burke, St. Augustine's Hall, January 30, 1927.

Harold B. Simpson, Jordan Hall, January 29, 1927.

#### PETITION OF BOSTON ELEVATED IN RE JITNEYS.

A petition was received from the Boston Elevated Railway Company for a change in ordinance relating to passengers carried in jitney buses to allow passengers to board buses in excess of seating capacity.

Referred to the Special Committee on Jitney Licenses.

#### STORAGE AND SALE OF GASOLINE.

Notice was received from the Street Laying-Out Department of hearings to be held on Monday, February 7, on the following petitions:

J. M. Barksdale *et al.*, 93 Cambridge street, Ward 2, 1,000 gallons.

John A. Kiggen, 325 Beech street, etc., Ward 20, 2,000 gallons.

Dennis J. Sweeney, 268 Old Colony avenue, Ward 7, 2,000 gallons.  
Referred to the Executive Committee.

#### REMOVAL OF CONSTABLE.

Notice was received of the removal by the Mayor, from position of constable of city of William B. Santosuosso, 23 Ditson street, Dorchester.

Placed on file.

#### APPOINTMENT OF OVERSEERS OF PUBLIC WELFARE.

Notice was received of the appointment by the Mayor of James J. Moynihan, 5 Rocky Hill avenue, Dorchester, Thomas F. Ratigan, 90 Commonwealth avenue, Boston, and Joseph T. Zottoli, 26 Upland avenue, Dorchester, to be Overseers of the Public Welfare.

Placed on file.

#### BORROWING CAPACITY FOR 1927.

The following was received:

City of Boston.

Board of Commissioners of Sinking Funds,

January 21, 1927.

To the Members of the City Council.

Gentlemen,—In accordance with the provisions of chapter 93, Acts of 1891, it is estimated that the amount which the city will be able to borrow during the present municipal year within the debt limit established by law is \$7,230,460.01, as per schedule annexed.

Respectfully,

ELIOT WADSWORTH,

WILLIAM H. SLOCUM,

RANDOLPH C. GREW,

ABRAHAM E. PINANSKI,

Board of Commissioners of Sinking Funds.

RUPERT S. CARVEN,

City Auditor.

FRANK L. BRIER,

City Treasurer.

#### DEBT INCURRING POWER IN 1927.

|                                                                                                                                                            |                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| Total debt incurring power within the debt limit (2½ per cent of \$1,841,057,566.16, the average assessed valuation for three years, less abatements)..... | \$46,026,439 15        |
| Less by chapter 267, Special Acts of 1916.....                                                                                                             | 500,000 00             |
|                                                                                                                                                            | <u>\$45,526,439 15</u> |

|                                                                                                                    |                        |
|--------------------------------------------------------------------------------------------------------------------|------------------------|
| Debts incurred:                                                                                                    |                        |
| Total funded debt, city and county.....                                                                            | \$141,822,550 97       |
| Funded debt outside the debt limit (debt exempted from the operation of the law limiting municipal indebtedness):  |                        |
| City debt.....                                                                                                     | \$39,220,300 00        |
| Water debt.....                                                                                                    | 1,244,000 00           |
| County debt.....                                                                                                   | 1,139,999 97           |
| Rapid transit debt.....                                                                                            | 46,729,700 00          |
|                                                                                                                    | <u>88,333,999 97</u>   |
| Funded debt within the debt limit.....                                                                             | \$53,488,551 00        |
| Offsets to funded debt:                                                                                            |                        |
| Sinking funds.....                                                                                                 | \$43,264,380 07        |
| Less sinking funds for debts outside the debt limit:                                                               |                        |
| City sinking funds.....                                                                                            | \$19,973,854 07        |
| County sinking funds.....                                                                                          | 538,181 53             |
| Rapid transit sinking funds.....                                                                                   | 8,867,406 71           |
|                                                                                                                    | <u>29,379,442 31</u>   |
|                                                                                                                    | <u>\$13,884,937 76</u> |
| Premiums on loans within the debt limit.....                                                                       | 5,382 10               |
|                                                                                                                    | <u>13,890,319 86</u>   |
| Offsets to funded debt within the debt limit.....                                                                  |                        |
| Net indebtedness within the debt limit December 31, 1926.....                                                      | \$39,598,231 14        |
| Loans authorized but not issued (within the debt limit).....                                                       | 2,108,500 00           |
|                                                                                                                    | <u>41,706,731 14</u>   |
| Used debt incurring power within the debt limit.....                                                               |                        |
| Unused debt incurring power within the debt limit.....                                                             | \$3,819,708 01         |
| Estimated increase during year by:                                                                                 |                        |
| Interest on sinking fund investments.....                                                                          | \$503,410 00           |
| Appropriation for sinking funds for debt within the debt limit.....                                                | 204,592 00             |
| Serial bonds redeemable from taxes.....                                                                            | 2,702,750 00           |
|                                                                                                                    | <u>3,410,752 00</u>    |
| Estimated amount of indebtedness that may legally be incurred within the debt limit during the municipal year..... | <u>\$7,230,460 01</u>  |
| Placed on file.                                                                                                    |                        |



## APPROVAL OF PAY ROLL.

The pay roll of the Registry of Deeds for the period from January 1 to January 15, inclusive, amounting to \$10,506.50, was received and approved.

## CONSTABLE'S BOND.

The constable's bond of Maurice Rosenberg, having been duly approved by the City Treasurer, was received and approved.

## CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Chairman DOWLING, under unfinished business, called up Nos. 1 and 2 on the calendar, viz.:

1. Action on appointment submitted by the Mayor January 10, 1927, of James E. Hagan, to be a Weigher of Goods.

2. Action on appointments submitted by the Mayor January 17, 1927, of William P. Miles and James E. O'Brien, to be Constables; and George J. Condon, John E. Benson, James P. McQueney and Clarence R. Dempster, to be Weighers of Goods.

The question came on confirmation. Committee, Coun. Ruhy and Gilbody. Whole number of ballots 16, yeas 16, nays 0, and the appointments were severally confirmed.

## LOAN IN ANTICIPATION OF REVENUE.

Chairman DOWLING, under unfinished business, called up No. 3 on the calendar, viz.:

3. Ordered, That to provide temporarily money to meet the appropriations for the financial year 1927 the City Treasurer issue and sell, at such times and in such amounts, as he may deem best, notes or certificates of indebtedness of the City of Boston not exceeding twenty-five million dollars in the total, in anticipation of the revenue of the current municipal year; that all such notes or certificates of indebtedness he dated the day the money for the same is received, he made payable with the interest thereon within one year of their date from the revenue of the year 1927, and bear interest from their date until the same are made payable at such rate as the City Auditor, the City Treasurer and the Mayor may determine.

On January 10, 1927, the foregoing order was read once and passed, yeas 21, nays 0.

The order was read a second time and again passed, yeas 20, nays 0.

## DISCLAIMER OF TITLE TO TREMONT STREET LAND.

On motion of Coun. RUBY the Council took up the following assignment, viz.:

4. Whereas, By a Resolve and Order of the Board of Street Commissioners of the City of Boston, passed March 26, 1925, an easement was taken to widen Tremont street in the City of Boston; and

Whereas, Certain premises within the limits of said taking belonged to Ira W. Shapira, as trustee of the Whitehall Realty Trust; and

Whereas, The said Ira W. Shapira, trustee of the Whitehall Realty Trust, executed to the City of Boston for street purposes a deed of the said premises which belonged to him as trustee of the Whitehall Realty Trust, which were within the limits of said taking, and in addition thereto a portion of Warrenton place, so called, and rights therein which were not within the limits of said taking; said deed is dated June 26, 1925, and recorded with Suffolk Deeds, Lih. 4711, page 161; and

Whereas, The purposes of said deed from said Ira W. Shapira, trustee as aforesaid, to the City of Boston was to convey to said City of Boston for street purposes the premises which belonged to the said Ira W. Shapira, trustee as aforesaid, which were within the limits of said taking;

Now, Therefore, it is ordered, That the Mayor of said City of Boston be and he hereby is authorized in the name and behalf of said City of Boston to affix the corporate seal of said city and to sign and deliver in form satisfactory to the Law Department of said City of Boston a disclaimer of all title to

any and all premises which it acquired by virtue of said deed to any land or property which were not within the limits of said taking or within the limits of the second taking made by a Resolve and Order of the said Board of Street Commissioners, passed June 22, 1925, except the right to slope and bank the filling of said Tremont street to the grade established by said Resolves and Orders, upon the remaining land of said Ira W. Shapira, which was adjacent to the land taken by said Resolves and Orders.

The question came on the passage of the preambles and order.

Coun. WILSON—Mr. President, is this the order that the councilor from Ward 3 said at the last meeting or the meeting before he was going to investigate?

Coun. FITZGERALD—Mr. President, I would state that I opposed this at one time in this body, but I have since investigated it and am satisfied that it is all right, if that will please the councilor.

Coun. DONOVAN—Mr. President, I believe it is poor policy for this Council or any other Council, or anybody connected with the City of Boston, to turn over a piece of land to anybody without being very sure of the facts. I believe that Mr. Lyons, the Assistant Corporation Counsel, in his argument contended that these parties could go into a court of equity and that such a court would decide in favor of Shapira. If it is Mr. Lyons' opinion that Mr. Shapira could go into a court of equity and get what he asks for here, why not refuse to pass this order and give him a chance to go into court, and see whether he can get it or not.

Coun. RUBY—Mr. President, I believe matters of this kind should take the proper course, and I believe it is within our province to correct a mistake, justly admitted to be a mistake, made through our Law Department. I believe this matter has been as carefully investigated, has been given as careful and minute scrutiny, as any order could be given in this Council. The Executive Committee at its meeting had the Assistant Corporation Counsel of the City of Boston before it, a man who knew more of the situation, I dare say, than any member of the Council. We listened to him and, if I remember correctly, he distinctly told us that this was something to which the petitioner was justly entitled; that the City of Boston now has title to something that it never contracted for, never paid for, and that in his opinion the City of Boston should vote to correct the situation as a matter of justice to the petitioner. The matter has been on the calendar now for a number of weeks, and there is no reason in my mind why it should be held there any longer. Were I of the opinion after listening to the councilor that the petitioner was not entitled to this, I would not hesitate a minute to vote against it, but after listening to him I have heard nothing that would change my opinion, based on the facts that have been stated to me. I would say also that we have given to all the members of the Council who wanted a chance to investigate the matter an opportunity to do so, and apparently no facts have been brought out which would warrant us in voting against the order. I believe the Council should in this case accord the same rights to this man that should be granted to anyone who is justly entitled to them.

Coun. DONOVAN—Mr. President, I would ask the gentleman who has just taken his seat to answer a question.

Coun. RUBY—I will answer it if I can, Mr. President.

Coun. DONOVAN—In the award of \$280,000 that was made to Shapira wasn't there included an amount for this land?

Coun. RUBY—I understand not. This was inadvertently put into the deed, as I understand it from Mr. Lyons' statement. All the information I have in the matter comes from Mr. Lyons, the Assistant Corporation Counsel, in whom we all have confidence.

Coun. DONOVAN—Will the gentleman stand for a postponement until we can look at the deed?

Coun. RUBY—Absolutely. I have no objection to that.

Coun. Donovan's motion to further assign the matter to the next meeting was lost.

The order was given its first reading and passage, yeas 17, nays 3.

Yeas—Coun. Bush, Dowling, Englert, Fitzgerald, Freeley, Gilbody, Guild, Keene, Lynch, Mahoney, McGrath, McMahon, Parkman, Ruhy, Ward, Wilson, Wragg—17.

Nays—Coun. Donovan, Green, Heffernan—3.

## A QUESTION OF PRIVILEGE.

Coun. McGRATH—Mr. President, I rise to a question of personal privilege.

Chairman DOWLING—The gentleman will state his question of personal privilege.

Coun. McGRATH—Mr. President, I think you and the other members of this body will agree that I am never very thin-skinned about what appears in the papers relative to me and my actions in this body, but once in awhile there is an editorial that goes into one of our Boston newspapers that is so extreme as to call for action of this kind. There was published on Saturday an editorial in a Boston newspaper that was so extremely vicious that I have had several men, and men of standing, refer to it and say that it called for action. So, on Saturday I answered the editorial with a letter, which I sent by special delivery, stamped, to the editor of the paper, who, I assumed, would take the responsibility for writing it. As the paper did not print my letter, I feel that I should have some record made of it that will stand for all time, and I am therefore taking this means of reading it into our record. The editorial was entitled "Our City Fathers," and it said:

"We have recently increased the size of our municipal council, and so the volume of its oratorical output. Whether the sum total of human knowledge has been increased thereby seems doubtful. The situation to date reminds us of the hoarding house keeper who explained her success by saying that she found out what was had for her guests and gave them enormous portions of it. We are surely having those portions.

"One day we learn that we shall have no traffic relief till we abolish the Common, remove Faneuil Hall, demolish King's Chapel and otherwise rectify environment. Another day we learn that the telephone company has established a "listening in" service, exceeding anything that the old-time Czar of Russia ever contemplated, and that whatever we say or listen to over the wire finds tabulation in its voluminous archives.

"The *Herald* regularly receives letters from former Judge Henry S. Dewey of Pierce Farm. We have not been able to use them in our Letter Box. But we have found a place for him and for his views. He should be in the municipal council of Boston. He would do more to improve its tone than the recent enlargement has accomplished."

I believe, Mr. President, that when the editor wrote that he was facetious, but in talking with men far older than myself they believed that in his desire to be humorous he stepped beyond the bounds of propriety. Therefore, sir, when it was called to my attention in this room, I immediately had one of our stenographers write the following letter:

Boston, January 22, 1927.

Robert Lincoln O'Brien, Editor, The Boston Herald, Boston.

Dear Mr. O'Brien,—I was surprised and amused to read an editorial in your paper on Saturday, January 22, 1927, entitled "Our City Fathers," and to find how easily a man in your position can be misinformed, but possibly this is due to the fact that you are so far removed from the touch of the common people.

You referred to a speech made by me in which you charged that I advocated the abolishing of the Common, Faneuil Hall, King's Chapel, and other old Boston landmarks in order to make way for our modern traffic.

Let me refer you to the correct speech as made at that time when I said that no honest effort could be made to relieve traffic conditions in downtown Boston because of these old Boston landmarks, and I further said that one solution for remedying the congestion at the corner of Tremont and Boylston streets would be to bring Commonwealth Avenue across Boston Common, but I emphasized the fact that because the Common, like these other landmarks, was sacred to Boston no one with a real love for our city would ever advocate such a drastic measure, and, therefore, there could be no real solving of the downtown traffic problem as our streets can never be widened.

I have made the suggestion that until the retail business of Boston, together with the Boston City Hall were moved to the Park square section, where men like William J. MacDonald, Mark

Temple Dowling, J. Sumner Draper, and other Bostonians with a splendid foresight have built wide streets to accommodate modern automobile traffic, there would be no relieving of the present traffic congestion. That was my position then and it is my position today, which I believe you will agree greatly differs from that in which you place me in your editorial.

So far as my charge that certain telephone lawyers were listening in to the conversations of subscribers is concerned, it is unfortunate that any Boston newspaper should have to defend the telephone company when they have such a staff of competent lawyers for this purpose. However, we are giving these men their day in court next Friday, January 28, 1927, at two o'clock, and if my statements are not true they should be in a position to refute them successfully.

The last paragraph of your editorial seemed very unwise and unfair when you paraded the mental illness of former Judge Henry S. Dewey, who is now confined at Pierce Farm, before the public in order to belittle that unfortunate gentleman.

There was a time when Judge Dewey held as high a place in Boston society as you now enjoy, and I would suggest to you, Mr. O'Brien, that as neither you nor I have entire control over our future life, it would be well for you to be temperate and considerate in your criticism of any citizen, especially one who cannot defend himself.

Hoping that you will print this letter in its entirety in your Letter Box column in fairness to me, I remain,

Very truly yours,

JOSEPH McGRATH,  
City Councilor.

With the reading of that letter, sir, I will end my story except to say that when twenty-two men have been selected by majority vote of the people in the various wards of the city, men who are lawyers, doctors, professional and business men, and splendid, decent young fellows living here and doing everything they can to properly represent their city and make it a better city for the citizens to live in, it is a sad commentary that any man of the years of Mr. O'Brien should reach out and with one fell blow try to degrade them, representatives of the city in which he lives. I feel that the gentleman has overshot the mark in writing such a vicious editorial.

## TRANSFER OF BOOKS TO HARVARD COLLEGE.

Coun. FITZGERALD offered the following:

Ordered, That the Trustees of the Boston Public Library, through his Honor the Mayor, be requested to furnish the City Council a copy of the agreement made between said trustees and the Overseers of Harvard College, by which many valuable books, some given in trust and others belonging to the city, are about to be transferred from the accessible main library building in Copley square to a building on the outskirts of the city owned and controlled by Harvard College.

The trustees are further requested to report the reasons for said transfer together with the legal authority sustaining their action.

Passed under suspension of the rule.

Coun. FITZGERALD offered the following:

Ordered, That the Corporation Counsel, through his Honor the Mayor, be requested to furnish his opinion to the City Council, at his earliest convenience, whether the agreement made by the trustees of the Public Library, transferring to Harvard College property of the City of Boston, consisting of many valuable books, some given in trust under certain conditions and others purchased out of the public funds, is not illegal and also in violation of Article 46 of Amendments to the Constitution, ratified and adopted by the people, November 6, 1917.

Passed under suspension of the rule.

## SIDEWALK ON CRAWFORD STREET.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Crawford street,



southwesterly side, from Harold street to Walnut avenue, Ward 12, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### SIDEWALK ON CORNELL STREET.

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Cornell street, both sides, from Orange street to Washington street, Ward 20, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### SIDEWALK ON WILLIAMS STREET.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Williams street, northeasterly side, from opposite Plainfield street, to Washington street, Ward 11, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### SAFETY OF MOVING PICTURE THEATERS.

Coun. MAHONEY offered the following:

Ordered, That his Honor the Mayor be requested to inform the City Council what precautions exist or have been taken in connection with the licensing of moving picture theaters to prevent the occurrence of a disaster such as recently happened in Montreal.

Passed under suspension of the rule.

#### REPAVING OF CORNWALL AND VALENTINE STREETS.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Cornwall street and Valentine street, Ward 11.

Passed under suspension of the rule.

#### ACCEPTANCE OF ROXTON STREET.

Coun. RUBY offered the following:

Ordered, That the Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Roxton street, between Glenway street and Greenwood street, Ward 14.

Passed under suspension of the rule.

#### REINSTATEMENT OF THOMAS J. MONAHAN.

Coun. WRAGG offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation to authorize the reinstatement of Thomas J. Monahan in the service of the City of Boston.

Coun. WRAGG—Mr. President, in presenting this resolution I will simply say that it comes under the same category as a number that we passed at the last meeting. That is, it comes under the rule of the Massachusetts Legislature which requires that certain petitions to the Legislature shall be approved by the City Council and the Mayor. I ask suspension of the rule and the passage of the order.

The order was passed under suspension of the rule.

#### AMENDMENT OF ORDINANCE.

Coun. GUILD submitted the following:

Be it ordained by the City Council of Boston as follows:

Section 12 of chapter 3 of the Revised Ordinances of 1925 is hereby amended by striking out the words in the first sentence, "but citizens, and, if male subordinates," so that said first sentence shall read as follows:

"Every officer in charge of a department shall employ, fix the compensation of, and may discharge for such cause as he shall deem sufficient and cause to be recorded in the records of the department, all subordinates in his department, but shall employ none but legal voters of Boston, in any capacity."

Coun. GUILD—Mr. President, in introducing that ordinance I would respectfully direct the attention of the body to the present state of the city ordinances bearing on this matter. At present they are in the same state as they were as long ago as 1898, at which time the heads of departments were required to employ male subordinates who were voters in the City of Boston and only voters in the City of Boston, as subordinates, if those subordinates were males. Since that time the women of Boston have been enfranchised, and there seems to be now no good reason why the same rule that applied to male subordinates in the departments should not apply to female subordinates. I have, therefore, introduced this resolution with a view to eliminating whatever discrimination may exist in that direction.

The ordinance was referred to the Committee on Ordinances.

#### REWARD FOR APPREHENSION OF MURDERER.

Coun. KEENE offered the following:

Ordered, That his Honor the Mayor be requested to submit to the City Council an order offering a suitable reward for the detection and apprehension of the person or persons responsible for the death of Maybelle Matheson, and making the necessary appropriation therefor.

Coun. KEENE—Mr. Chairman, on Friday last there was enacted in our section of the city, West Roxbury, one of the most wanton and brutal murders that has happened in the limits of the city for a good many years. A young girl, nineteen years of age, left her place of employment to go home. Her body was found on Saturday morning. The examination by the medical authorities disclosed that there was no criminal assault. The consensus of opinion seems to be that the act was that of a maniac. The atmosphere in our community is rather stirred up and there is a tension and mental strain at this time among the women and children. I have therefore thought it proper to ask the passage of this order and that the Mayor be requested to submit to the City Council an order offering a suitable reward for the detection and apprehension of the person or persons responsible for the death of Maybelle Matheson and make the necessary appropriation therefor. I would move a suspension of the rule and the passage of the order.

The order was passed under suspension of the rule.

#### LOAN FOR NORTH BEACON STREET.

Coun. HEFFERNAN offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation authorizing the City of Boston to borrow money for the laying out, widening and construction of North Beacon street, from Union square to Brooks street, in the Brighton district of said city, and for this purpose to borrow money outside the debt limit.

Passed under suspension of the rule.

#### CONTRACTS WITH NONCITIZENS.

Coun. McGRATH offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to advise the City Council whether, in his opinion, Article 10 of the provisions of contracts of the Supply Department of the City of Boston, which specifies that no contract can be made with any individual who is not a citizen of the United States, or any



corporation or legal association wherein the controlling interest is not held by citizens of the United States, would allow an individual, corporation or association who met with these requirements, upon receiving an award of contract to sublet it to some other individual who, or corporation or association which, did not comply with Article 10 of the specifications.

Passed under suspension of the rule.

#### MUNICIPAL BUILDING, FIELDS CORNER,

Coun. GILBODY offered the following:

Resolved, That the Boston City Council favors the enactment by the General Court of the Commonwealth of Massachusetts of legislation authorizing the City of Boston to borrow money outside of the debt limit for the construction of a municipal building in the Fields Corner section of the Dorchester district of said city.

Passed under suspension of the rule.

#### RECESS.

On motion of Coun. WILSON, the Council voted at 2.38 p. m., to take a recess subject to the call of the Chair.

The members reassembled in the Council Chamber at 3.27 p. m. and were called to order by Chairman Dowling.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. WRAGG, for the Executive Committee, submitted the following:

1. Reports on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.:

Rev. Richard A. Burke, St. Augustine's Hall, January 30, 1927.

Harold B. Simpson, Jordan Hall, January 29, 1927.

Report accepted; leave granted on usual conditions.

2. Report on message of Mayor and order (referred January 10) that the sum of \$6,500 be appropriated to be expended by Committee on Rent and Housing, same to be charged to Reserve Fund—that said order ought to pass.

Report accepted; said order passed, yeas 22, nays 0.

#### ELECTION OF PRESIDENT.

Coun. GUILD—Mr. President, I move that we proceed to the election of a president to serve until the first Monday in January, 1928.

The motion was carried and the Clerk called the roll, with the following result:

For Charles G. Keene—Coun. Arnold, Bush, Englert, Guild, Keene, Parkman, Ruby, Wilson, Wragg—9.

For John J. Heffernan—Coun. Donovan, Dowd, Fitzgerald, Freeley, Gilbody, Green, Heffernan, Lynch, Mahoney, McGrath, Ward—11.

For Henry Parkman, Jr.—Coun. Dowling—1.

For William G. Lynch—Coun. McMahon—1.

Chairman DOWLING—The result of the ballot just taken is 1 for Coun. Parkman, 1 for Coun. Lynch, 9 for Coun. Keene, and 11 for Coun. Heffernan, and there is no choice.

Coun. WARD—Mr. President, I now move that we take another ballot for president.

Coun. GUILD—And, Mr. President, I would add my amendment.

Chairman DOWLING—If there is no objection, the Chair will assume that Coun. Guild's amendment will be added.

The motion as amended was carried.

Coun. HEFFERNAN—Mr. President, before we proceed to take a vote on this matter I would like to say a word. First of all, at this time I am perfectly willing to release any of the men who have been pledged to me, and am willing to do it, because I am trying to act in the interest of harmony, so that we may get some man elected here whom we will agree is not going to be subservient to certain interests in this city. I don't like to be personal in this matter, and I am going to try to avoid, as far as possible, being personal. But

we are facing a strange situation. First of all, we have here a Council with a majority of three or four Democrats. Last year we did elect a Republican president. A few weeks ago there was a vote taken vacating the office, and it would be necessary to shift several votes to put back that man who acted as president. I have no personal grievance against the man who was our president before. This is politics and not a question of personalities at all. But I realize, and I think everybody in this body realizes, that that man was elected by a certain group in this city. We realize that that man's candidacy was fostered by a certain group, and certain men came into this body and voted for him, when they did not know him two or three weeks before. They did not vote for him on his personality; they voted for him because certain people wanted him, certain people who wanted to control this Council. This is not a personal matter with me. I am perfectly willing to sacrifice myself if we can get as our presiding officer a man who is not going to be controlled by those certain interests; and I say that I think there are certain men in this body whom I really believe ought to cut themselves away from the candidacy of that man. I say that for this reason. You can talk to any Republican member of this body and say, "Why don't you vote for another Republican?" and he will say, "We cannot get any Democratic votes." Are Democratic votes being obtained by one man on the basis of personality, against the others, or what pressure is being brought to bear? You men are practical men. You know, each and every one of you, who has been around to see you, who has been to your houses. You know whether the men who have gone to you are honest taxpayers in your district, interested in good government, or whether they are people interested in having a certain organization control things in this city. There are certain men in this body, Republicans, whom I am sure are here to do absolutely the right thing for the public, the right thing for the city, and I think when they continue along their present course they are only aiding and abetting the continuance of the state of affairs I have referred to, in continuing to vote the way they have for this man who is being fostered here until certain pressure can be put on to break down certain men. The Democrats in this body realize, after what has happened here in the past, that if they vote for Charles G. Keene, they are through politically. I think that is a safe statement to make, that they will be through politically. Why? Not because he is a Republican, because in the past when Dan Lane, a Republican, sitting in this body, was elected by Democratic help, there were no charges then made. But this year we have a different situation. It has come to a stage that is pretty close to a public scandal, and every man in this body realizes it. I am perfectly willing that the men who have voted for me shall now vote for anybody they see fit, but I think it is time for us to decide whether we here shall hold ourselves up to outside ridicule by having a proposition put over as has been attempted in this body. How can they switch two votes to Mr. Keene? You know that it means a switch of two votes. Can you, Mr. Chairman, switch your vote? You know—or at least I think you do that you cannot change your vote without there being an awful lot of explaining. Can any other man in this body shift his vote after voting for removal without an awful lot of explaining? I think it is time that we sat down and attended to business and that we elect a man who will be a representative of this body, a body that ought to govern itself. We ought not to tolerate outside interference. It should be left to this body to decide, and this body can govern itself. This year means more to the Republicans than to the Democrats, because it is safe to say in this city every Council from now on is going to have a majority of Democrats, and if the issue is going to be made, as this year—and there is no question about it—if a Democrat votes for a Republican, he is going to do it from wrong motives, which means that in the future a Republican cannot win. There are Republicans in the body whom I would be glad to see president of the body, but I say today that I don't think it is safe for us to vote for any Republican after the issue that has been made here. The issue is of their making, not ours. I am going to release the men who have been voting for me here, and I only hope that we can get together and organize the body without this outside interference that has been thrust upon us for the last two or three weeks.

**Coun. FITZGERALD**—Mr. President, before we proceed to a ballot, I wish to say a word. The last speaker says that he now releases the men who have been voting for him. I think, in view of this long controversy and in view of the elements that gather here every Monday, some in the gallery, trying to stampede and hulloze members as to what they should do, an explanation is in order. I am one of the few who did not vote for John J. Heffernan at first, but after the matter had been carefully considered and I found that he had a majority of the Democratic votes, I changed my position. Also, Coun. Green, after he said that he would not vote for Coun. Heffernan, after a conference in the interest of the Democratic party, in the interest of harmony and of the orderly conduct of business in this body, sacrificed any personal ambitions he might have had and voted for John J. Heffernan, thereby giving him eleven votes. Now, Coun. Heffernan says that he releases those who have been voting for him. I cannot see any good reason why the people who have been pushing this, who have brought this about, could not bring in the one remaining vote for Coun. Heffernan. It is true that this is a nonpartisan body. There were 182,000, pretty nearly 183,000 ballots cast in the last city election. Mr. Cook received 1,771 votes and Mr. Nichols received 64,492 votes, a total for the Republican candidates of 66,263, barely one third of the votes cast. It is true Malcolm Nichols was elected Mayor, but only through a division of the Democratic vote in this city, and he is a minority man. This is a Democratic city. If it were not for the division among the Democrats on that day—John A. Kelliher, Theodore A. Glynn, Joseph H. O'Neil, William T. A. Fitzgerald, Doctor McGauley, Thomas C. O'Brien, all Democrats, in a Democratic city, there would have been no chance for a Republican to be elected. Now, this is a nonpartisan body. I don't see why the Republicans in this body cannot vote for John J. Heffernan. He is a clean man, a lawyer, a man of ability. He may not be the aggressive man that some here would like to have in the chair. He has served in the Massachusetts Legislature, and he is a man of standing in this community. He has eleven votes. He now says that he releases those votes, and that he is ready to withdraw. What I shall do on future ballots is my own personal affair. I will vote as my conscience dictates, and not as any rahhle or moh may try to sway or hulloze me into doing. I come from a section that will not be bulldozed, and I know there is no one in that gallery who comes from my district who wants to hulloze me. If Coun. Heffernan now sees fit to withdraw from this contest, that is his business.

**Coun. McGRATH**—Mr. President, I don't think there is any secret in connection with the halloing here. I think every one is balloting as he honestly sees fit to ballot. We held a caucus last week and Coun. Heffernan was the candidate of our party. It is true that this is a nonpartisan body, but there were those who thought there should be a change in the presidency from last year. I was one who voted for our president of last year, and I have never regretted that vote. He made a splendid presiding officer. I know him in political and in personal life, and I am glad to say that the president of last year is my personal as well as my political friend. I think he lent a lot of tone and dignity to this body in his first year. But when the caucus was held I was not in this city, sir, and the result was that the majority in the caucus voted for the name of John J. Heffernan of Brighton. When I came back and asked who the party nominee was, they said, "John J. Heffernan of Brighton." I said, "Get the eleven men besides myself and make him President," because twelve votes were necessary for the man who should sit in that chair. But as the thing proceeded I saw that Heffernan knew that there were certain men on the so-called Democratic side who would not vote for him. When we assembled in the last caucus—and I speak now for nine of the men who are here, who had the same understanding that I did,—we came back after the recess on this floor and voted on two ballots for John J. Heffernan of Brighton. He had in mind a man on the Republican side who he thought might be with him because of his proximity in the ward and because of a lot of interests that they have in common, to give him the twelfth and deciding ballot. But he did not get sufficient votes to elect, and Johnnie Heffernan, who has always been a fair and square man, said

after the second ballot, "I find that I cannot be elected president of the body, and I will release the men who have been voting for me." An effort was then made to elect a man, rather than go out and recess again, who could be voted for on the third ballot. My recollection of that meeting is extremely clear, sir. The remaining vote there said, "I will tell you what I will do. I will suggest the name of a man who can win on the third ballot," and the name of William G. Lynch of South Boston, in whom we all had confidence, was suggested, and we polled that committee. Coun. Freeley was sitting in the chair and asked the men there if on the third ballot Heffernan was not elected, if they would go through for William G. Lynch, and McMahon of Dorchester said, "If William G. Lynch is the man, then I am the twelfth man. I will make the twelfth vote." When we walked out of the caucus onto this floor, one or two things happened. On one of the first ballots Johnnie Heffernan, of whom we are all proud, was unable to get the twelfth vote he thought he could get, and it was understood that if at the end of the second ballot he was not elected William G. Lynch had the twelve pledges to go in and be president. The man who has consistently not voted for Heffernan is McMahon of Dorchester, but he said that he would vote for Lynch. Now that Coun. Heffernan releases the men who have been voting for him, if they are to stand by the rule of that caucus—and I understand that the fundamental principle of democracy is that the majority rules always—the president of this Council, if we abide by the decision of the majority vote of our caucus, will be William G. Lynch of South Boston.

**Coun. GREEN**—Mr. President, I would like to ask the councilor from Brighton one question—if at any time he has felt that he was being used as a political pawn by a certain coterie of gentlemen within this body and in this city.

**Coun. HEFFERNAN**—Mr. Chairman, I would say in answer to the gentleman that I don't think at any stage I have been used as a pawn. I will say that at a good many stages I have questioned the motives and actions of a good many people because, if my memory serves me correctly, on the first ballot I was supposed to have twelve votes. The twelve agreed to vote for me, and the twelfth man did not do so.

The Clerk called the roll, and the members responded as follows:

For Charles G. Keene—Coun. Arnold, Bush, Englert, Keene, Ruhy, Wilson, Wragg—7.

For John J. Heffernan—Coun. Donovan, Fitzgerald, Green, Parkman—4.

For William G. Lynch—Coun. Dowd, Gilhody, Heffernan, Lynch, Mahoney, McGrath, McMahon, Ward—8.

For Henry Parkman, Jr.—Coun. Dowling, Guild—2.

For John F. Dowd—Coun. Freeley—1.

Before the result was announced Coun. WARD said:

Mr. President, before the announcement of the ballot, I wish to change my vote to John J. Heffernan.

**Chairman DOWLING**—Coun. Ward changes his vote to John J. Heffernan.

**Coun. HEFFERNAN**—Mr. Chairman, I desire to change my vote to John J. Heffernan.

**Chairman DOWLING**—Coun. Heffernan votes for John J. Heffernan.

**Coun. WILSON**—Mr. President, I move that we adjourn.

**Chairman DOWLING**—We have not yet completed the ballot.

**Coun. GILBODY**—Mr. President, I desire to change my vote to John J. Heffernan.

**Chairman DOWLING**—Coun. Gilhody votes for John J. Heffernan.

**Coun. WILSON**—Mr. President, I think my motion is in order.

**Chairman DOWLING**—The motion is not in order at this time pending the announcement of the vote.

**Coun. MAHONEY**—Mr. President, I would like to change my vote to John J. Heffernan.

**Chairman DOWLING**—Coun. Mahoney votes for John J. Heffernan.

**Coun. DOWD**—Mr. President, I desire to change my vote to John J. Heffernan.

**Chairman DOWLING**—Coun. Dowd votes for John J. Heffernan.

**Coun. FREELEY**—Mr. President, I desire to change my vote to John J. Heffernan.

Chairman DOWLING—Coun. Freeley votes for John J. Heffernan.

Coun. LYNCH—Mr. President, I desire to change my vote to John J. Heffernan.

Chairman DOWLING—Coun. Lynch votes for John J. Heffernan.

Coun. McGRATH—Mr. President, I desire to change my vote to John J. Heffernan.

Chairman DOWLING—Coun. McGrath votes for John J. Heffernan. The result of the ballot just taken is Coun. Heffernan has twelve votes, Coun. Keene seven votes, Coun. Parkman two votes, and Coun. Lynch one vote. By your votes you have elected Coun. Heffernan president of the body. (Applause.)

Coun. KEENE—Mr. President, I move you, sir, that the election be made unanimous. (Applause.)

Coun. KEENE'S motion was carried, and the election of Coun. Heffernan as president of the body was declared unanimous.

Chairman DOWLING—The Chair appoints a committee consisting of Coun. Parkman and Coun. Gilbody to escort the new president to the chair. (Applause.)

The committee performed the duty assigned.

Chairman DOWLING, in greeting President Heffernan, said:

Coun. Heffernan, it gives me a great deal of pleasure as the temporary presiding officer of the Council and one of your most intimate friends, one who has seen you grow up from boyhood to young manhood, to welcome you to this chair and to offer

to you the gavel. The Council, I feel, has made no mistake in its selection. Although I felt that I could not cast my vote for you as president of the Council, I know that you will make a first-class, able and impartial presiding officer during the coming year. (Applause.)

President HEFFERNAN, in taking the chair, said:

I wish to thank the entire membership for the honor that has been bestowed on me today. Regardless of anything that may have happened during the heat of this contest, regardless of anything else that I or any one else has said, I hope the Council will now sit down as a body and all be friends again, and that anything that has happened will not act as a barrier to any friendship that has existed here. I desire to thank the Council again, and I will try to the best of my ability to serve as well as the past president of this Council has served, and to be fair to the entire membership. The Chair awaits the pleasure of the Council.

#### GENERAL RECONSIDERATION.

Coun. DOWLING—Mr. President, I move a reconsideration of all action taken today, hoping that the same will not prevail.

The motion to reconsider was lost.

Adjourned, on motion of Coun. RUBY, at 3.55 p. m., to meet on Monday, January 31, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, January 31, 1927.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President HEFFERNAN in the chair. Absent, Coun. Lynch.

## APPOINTMENTS BY THE MAYOR.

Subject to approval by the Council, the Mayor submitted appointments as follows:

Weighers of coal for term ending April 30, 1927: William T. O'Mara, 2 Mapleton street, Brighton, for M. R. Murphy, Coal and Wood; Francis W. Darling, 10 Fairmount avenue, Hyde Park, coal business.

Constables, for term ending April 30, 1927: Theodore R. Bernson, 17 St. Lukes road, Ward 21; William Joseph Reid, 17 Atherton street, Ward 11.

Severally laid over under the law.

## VETOES BY THE MAYOR.

The following was received:

City of Boston,

Office of the Mayor, January 31, 1927.

To the City Council:

Gentlemen,—For the purposes of record, I return herewith, without my approval, the following resolves adopted by your honorable body:

At the January 17, 1927, Meeting.

1. Legislation authorizing the borrowing by the City of Boston, outside the debt limit, of \$3,000,000 for the erection of a new courthouse for Suffolk County.

2. Legislation authorizing the borrowing by the City of Boston, outside the debt limit, for the building of a bridge at Dartmouth street between the cities of Cambridge and Boston.

3. Legislation authorizing the borrowing by the City of Boston, outside the debt limit, for the widening of Faneuil street in Brighton.

At the January 24, 1927, Meeting.

1. Legislation authorizing the borrowing by the City of Boston, outside the debt limit, for the widening and construction of North Beacon street, from Union square to Brooks street in Brighton.

2. Legislation authorizing the borrowing by the City of Boston, outside the debt limit, for the construction of a municipal building in the Fields Corner section of Dorchester.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

## TRANSFER OF BOSTON SANATORIUM.

The following was received:

City of Boston,

Office of the Mayor, January 31, 1927.

To the City Council:

Gentlemen,—I transmit herewith an amendment to the ordinances providing for the transfer of the powers and duties of the Trustees of the Boston Sanatorium to the Trustees of the Boston City Hospital.

This amendment follows the recommendation of Dr. Haven Emerson, Professor of Public Health at Columbia University, who was designated by the City of Boston to study the needs of tuberculosis hospitalization and make a report thereon.

A copy of Dr. Emerson's report is appended herewith.

I recommend the passage of the accompanying order.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

## An Ordinance Concerning the Boston Sanatorium.

Be it ordained by the City Council of Boston, as follows:

The powers and duties of the Trustees of the Boston Sanatorium Department are hereby transferred to the Trustees of the Hospital Department who, in addition to their other powers and duties, shall hereafter exercise the powers and perform the duties of the Trustees of the Boston Sanatorium Department. The offices of the Trustees of the Boston Sanatorium Department are hereby abolished.

Referred to the Committee on Ordinances.

## SALARY OF BUILDING COMMISSIONER.

The following was received:

City of Boston,

Office of the Mayor, January 31, 1927.

To the City Council:

Gentlemen,—I transmit herewith an amendment to the Revised Ordinances of 1925 which will establish the salary of the Building Commissioner at the level of \$7,500 a year.

The present salary of \$6,000 a year inadequately represents the importance of this office with its heavy responsibilities for the protection of life and property.

A proper enforcement of the building laws through appropriate regulations is a municipal function whose value cannot be overestimated, requiring not only fine administrative capacity but a high degree of technical skill.

For the foregoing reasons I ask your favorable consideration for the accompanying order.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

## An Ordinance Concerning the Salary of the Building Commission.

Be it ordained by the City Council of Boston, as follows:

Section 5, of chapter 3, of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the Building Commissioner by striking out the words "six thousand" and inserting in place thereof the words "seventy-five hundred."

Referred to the Committee on Ordinances.

## APPROPRIATION FOR TRAFFIC ADVISORY COMMITTEE.

The following was received:

City of Boston,

Office of the Mayor, January 31, 1927.

To the City Council:

Gentlemen,—I transmit herewith a new order for the appropriation of \$25,000 to be expended for the Traffic Advisory Committee under the direction of the Mayor, and desire to have the order pending before your committee withdrawn and the new order substituted therefor.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of twenty-five thousand dollars (\$25,000) be and hereby is appropriated to be expended for the Traffic Advisory Committee, under the direction of the Mayor, in the prosecution of its duties, said sum to be charged to the Reserve Fund when made.

Referred to the Executive Committee.

## LEASE TO ROXBURY POST VETERANS.

The following was received:

City of Boston,  
Office of the Mayor, January 27, 1927.  
To the Honorable City Council:  
Gentlemen,—Inclosed please find an order to lease the building commonly known as the Elmwood Street Gymnasium situated on Elmwood street in the Roxbury district of the City of Boston, to the James F. Mahoney Roxbury Post, Veterans of Foreign Wars, No. 457. The premises herein referred to were leased to Roxbury Post No. 685, Veterans of Foreign Wars, on November 1, 1921, for a term of five years at a rental of one dollar per year. The Roxbury Post, Veterans of Foreign Wars, No. 685 is now merged with another post and desires a lease of the aforesaid premises in the name of James F. Mahoney Post, Veterans of Foreign Wars, No. 457 with the same terms and conditions as were contained in the lease given by the City of Boston to Roxbury Post No. 685, dated November 1, 1921.

It is the opinion of the Commissioner of Public Buildings that the same terms and conditions in the lease of the aforesaid premises given by the City of Boston to Roxbury Post No. 685, Veterans of Foreign Wars, are adequate and should be contained in the lease to the James F. Mahoney Roxbury Post, Veterans of Foreign Wars, No. 457. I recommend the passage of accompanying order.

Yours truly,

MALCOLM E. NICHOLS, Mayor.

Ordered, That his Honor the Mayor be and he hereby is authorized and empowered in the name and behalf of the City of Boston, for the consideration of one dollar per year, and in a form satisfactory to the Law Department, to execute and deliver to the James F. Mahoney Roxbury Post, Veterans of Foreign Wars, No. 457, a lease of the building commonly known as the Elmwood Street Gymnasium, situate on Elmwood street, in the Roxbury district of Boston, formerly used as gymnasium, said lease to run for a term of five years beginning November 1, 1926, the premises to be used for post headquarters by the said post. The said lease may be canceled by the lessor at any time by a written notice of not less than ninety days given by the Mayor or Superintendent of Public Building of said city, by mail, addressed to the commander of said post or to said lessee at said building. The lessee shall at its cost and expense keep the building in good condition and repair, both inside and outside, shall heat and light the same and shall pay all water rates therefor.

Referred to the Committee on Public Lands.

## LOAN FOR LONG ISLAND INSTITUTIONS.

The following was received:

City of Boston,  
Office of the Mayor, January 31, 1927.  
To the City Council:  
Gentlemen,—I transmit herewith an order for \$1,000,000 for the construction of additional accommodations at Long Island. These accommodations, as it will appear from the appended report from the Institutions Commissioner are very much needed, as the present Long Island Hospital is crowded and the demands upon it are severe.

It is evident that plans for more adequately taking care of the aged sick and needy should be started at once so that actual work may be begun as soon as the weather will permit.

Therefore I recommend the passage of the accompanying order.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Institutions Department,  
January 19, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor,—The recommendations which I have made for enlarging the existing buildings at Long Island, and the construction of new ones, are not original, but are rather a continuation of the building program found to be necessary many years ago, and for which plans and a general layout were formulated, which were temporarily interrupted under the last administration, in the attempt to relocate the whole institution on the mainland.

In order that the whole situation may be clearly before your Honor, I am submitting a brief history which will clearly show that the present projects carry out the original scheme.

#### History.

All public chronic hospitals are the outgrowth of infirmaries attached to almshouses. Until 1895, the almshouses in Boston were located at various points, a chronological history of which is as follows:

- 1662. First almshouse built on the Common, near the corner of Beacon and Park streets.
- 1682. First almshouse burned.
- 1686. Second almshouse built on site of first.
- 1800. Third almshouse built on Leverett street, opposite present Spring and Barton streets. Removed in 1825.
- 1823. Fourth almshouse (House of Industry) at South Boston.
- 1849. Fifth almshouse (House of Industry) at Deer Island.
- 1872. Men transferred from Deer to Rainsford Island.
- 1874. Charlestown, with its almshouse, annexed to Boston.
- 1877. Women transferred from Deer Island to Austin Farm.
- 1887. Women transferred from Austin Farm to Long Island.
- 1889. Men transferred from Rainsford to Long Island. Women transferred from Long to Rainsford Island.
- 1895. Women returned to Long Island to occupy new building erected for their accommodation.

Since 1895 the almshouses for both men and women were located at Long Island, and then the need of a modern chronic hospital began to become apparent and took concrete form in the report of the Trustees of the Infirmary Department in 1911, from which I quote:

"For several years the need of additional accommodations both for the almshouse and hospital at Long Island has been apparent. In order to meet the ever-growing demand, it is the opinion of the Board that steps should be taken to provide additional buildings for the suitable accommodation of the inmates of the almshouse as well as those of the hospital."

The report of the visiting medical staff for the same year (1911) contains this statement: "The growth of the hospital has demanded more adequate accommodations for the increased number of nurses."

In 1912 the trustees reported as follows:

"For several years this Board and previous boards have called attention to the necessity of more suitable accommodations at Long Island. This necessity in a special sense pertains to the hospital which is entirely inadequate to meet the demands made upon it."

The same report contains the following:

"Accommodations must be provided to meet the immediate demands of the present and new buildings must be erected to meet those of the future. With the extension of the hospital, it is hoped that a special building may be provided for the children."

The report of the visiting medical staff for the same year (1912) is as follows:

"Matters of importance regarding the hospital and its development have arisen during the past year. The most important of these is the question of increased accommodation for



patients, rendered imperative by the natural growth of the institution.

"Since it has been definitely determined that the hospital is to remain at Long Island and not to be transferred to the mainland as was at times formerly suggested, the necessity of planning wisely for future expansion has become a matter of vital importance. It is gratifying in this connection to call attention again to the unanimity of opinion now existing between your Board and the medical staff regarding the importance of maintaining the institution primarily as a hospital for the chronic sick."

The foregoing took definite shape in 1913. The almshouse at Charlestown was sold for \$72,000 and this money was placed in the hands of trustees of this department for new buildings at Long Island, and a general scheme for development was adopted under the guidance of architects, and a sketch of the entire hospital to be erected was made, a copy of which is hereto annexed. To quote from the report of the trustees in 1913:

"The money received by the city for the sale of the Charlestown Almshouse, \$72,000, has been placed in the hands of the trustees for new buildings at Long Island. It is hoped that a further appropriation will soon be granted and that as soon as the weather makes it possible work on the new buildings may be commenced."

"In the plans finally adopted, the men's building is to be made the central administration building, the main entrance of which shall be at the northeasterly end of the present building. A wing is to be added to the northeasterly side from which will extend toward the southwest a series of dormitory pavilions for men with connecting corridors. On the opposite side of the building, from the wing at the rear of the present side of the building, will be extended a series of hospital pavilions for men. It is planned to serve all the buildings from the new kitchen by means of subways. The new nurses' home is to be located near the chapel."

The visiting medical staff the same year reported as follows:

"The main interest at the hospital during the past year in which the trustees and the visiting staff have a like share, has been the question of new and more adequate buildings. Plans have been drawn and the various questions relating to the proper disposition of buildings carefully considered. The medical staff is gratified that such improvements, to which attention has from time to time been called in this respect, are likely to be accomplished."

Work and erection of buildings in furtherance of the general scheme was carried on during 1915 and 1916. In addition to the \$72,000 obtained from the sale of the chronic almshouse loans were made totaling \$621,000, and this construction work was kept steadily in progress with the approbation of boards of trustees and medical staff until 1920, at which time the Board of Trustees was abolished and a single headed commission substituted. The buildings were further improved in 1922 by the installation of the sprinkler system at a cost of \$100,000.

In 1914 the medical staff reported as follows:

"In the investigation of chronic diseases the hospital offers facilities superior to those of any institution in the city. With the natural growth of the city, and the increasing tendency on the part of the people to seek hospital treatment, the institution will doubtless need further additions in the future."

In 1915 the visiting medical staff reported:

"This hospital fills a very definite need in the community, and should be provided with facilities for the treatment of patients comparable to that of its sister institution for acute disease, the Boston City Hospital. With such facilities provided, it is not to be questioned that work of importance not only to the patients now resident at the hospital but to those who come after and to the community at large would be accomplished."

The proposals now before your Honor are as follows:

#### 1. To Construct Additional Men's Dormitories.

The men's dormitories have never been completed in accordance with the architects sketch annexed. The normal bed capacity of such dormitories as were completed is 325. At the present time the number of patients in the dormitory is 505. It will thus be seen that we are at the present time accommodating 180 more than the normal capacity permits. In order to do this it has been necessary to place beds in a semibedroom and in corridors and also in the reading room. The cost of these dormitories will be approximately \$300,000.

#### 2. To Construct Additional Wings on Men's Hospital.

The present men's hospital has a normal bed capacity of 150 beds. The present number of bed patients is 180. This has necessitated putting hospital patients in the sun rooms, which are not suitable for hospital beds, and there are at present at least 100 men in the dormitories who should be occupying hospital beds, creating a vital necessity for further hospital accommodations. The cost of these new wards would be approximately \$250,000.

#### 3. To Enlarge The Children's Building or Construct a New One If Deemed Advisable.

There are at present eighty-six children at Long Island, and the Health Department reports that there are several hundred children in the city who should be transferred to Long Island for treatment, as this site is regarded as the most healthful for children of any location within the city limits. The present building was not constructed for the use of children, and in order to make it adequately serve that purpose it must be entirely reconstructed or a new one built. The cost of this improvement would be approximately \$150,000.

#### 4. To Enlarge the Nurses' Home.

The present number of nurses at Long Island is seventy-four. This is about twenty less than the requirements of the hospital at the present time, and with the construction of the new hospital wards for men and the enlargement of the children's building, thirty or forty additional nurses will be required. The nurses at the present time are obliged to live two and three in a room and beds have been placed in the basement, an unsanitary and undesirable condition. Two additional stories should be added to the present nurses' home. The approximate cost of this will be \$100,000.

#### 5. To Make Such Additions to Power, Heating and Lighting Systems as May be Necessary Because of the Foregoing.

It is impossible to estimate the cost of relaying the old water and heating pipes, and the laying of such new ones as may be necessary if the building program herein outlined is carried into effect. It is conservative to say that the cost will be many thousands of dollars.

The furniture, medical equipment, hospital beds and all other equipment needed to complete the buildings herein outlined will be in excess of \$200,000.

The city now has at Long Island a chronic hospital and dormitories for men and women, and all the necessary ancillary buildings, including the nurses' home, attendants' home, laboratories, power plant, mortuary, garages, superintendent's house and chapel. With the improvements suggested this institution can satisfactorily care for the chronic sick for many years. If the improvements are not made, an entire new plant must be constructed on the mainland at the cost of many millions of dollars.

The cost of these improvements as outlined above will be approximately \$1,000,000, and the accompanying loan order prepared by the Corporation Counsel is broad enough to cover all of the contemplated improvements.

Respectfully yours,  
WILLIAM S. KINNEY, Commissioner.



Ordered, That the sum of one million (1,000,000) dollars be and the same is hereby appropriated for new buildings and additions to existing buildings at Long Island, as well as for equipment and furniture for such new buildings and additions, all for Institutions Department purposes, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

#### ADDITIONAL LAMPS ON FRANKLIN FIELD.

The following was received:

City of Boston,  
Office of the Mayor, January 20, 1927.

To the City Council:  
Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of January 10, 1927, in relation to installing additional lamps on Franklin Field.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, January 19, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of January 14 with inclosure, order of the City Council relative to installing additional electric lamps on Franklin Field.

In reply I regret exceedingly to inform you that the department has no funds for this purpose in the budget at the present time, and it would be very inadvisable to go to this great expense for the short period of skating now remaining this year.

Very truly yours,  
WILLIAM P. LONG, Chairman.  
Placed on file.

#### LUMP SUM BUDGET.

The following was received:

City of Boston,  
Office of the Mayor, January 28, 1927.  
To the City Council:

Gentlemen:—Under the provisions of section 3, chapter 486, of the Acts of 1909, the Mayor is required to submit the budget within thirty days after the beginning of the fiscal year.

Under existing law the city may raise \$6.52 on each one thousand of the average valuation for three years, less abatements, for general municipal purposes, exclusive of schools.

In 1926 the budget for city maintenance purposes totalled \$30,823,236.52. The total appropriating power available under the present statutory limit is approximately \$13,500,000. It is evident from a comparison of these figures that the appropriating power available under the existing law is inadequate to provide for the needs of the city.

It is my intention to request the Legislature to fix a tax limit for 1927 which will be adequate to meet the needs and requirements of the various city departments. Until this request is acted upon it is impossible for me to submit to your honorable body the annual budget in full segregated form.

In order to avoid any question being raised as to the submission of a budget within

the time limit stated in the city charter, I submit herewith a budget in lump sum form.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

#### APPROPRIATIONS AND TAX ORDERS FOR THE FINANCIAL YEAR 1927.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1927, for performing the duties and exercising the powers devolved by statute or ordinance, or by vote of the City Council during the year, upon the City of Boston or County of Suffolk, or the departments or officers thereof, and to meet their respective obligations for interest on debt, sinking fund requirements and maturing debt not provided for by sinking fund, the respective sums of money specified in the tables and schedules hereinafter set out be and the same are hereby appropriated for the several departments and for the objects and purposes hereinafter stated.

Ordered, That the appropriation for Water Service, current expenses and the payment to the state under the provisions of chapter 488 of the Acts of 1895 and acts in addition or amendment thereto, and for the interest and debt requirements or for loans issued for water purposes be met by the income of said works and any excess over income from taxes; that the appropriation for Printing Department be met by the department income and any excess over income from taxes; and the appropriation for *City Record* be met by the income of said publication and any excess over income from taxes; that the other appropriations hereinafter specified be met out of the money remaining in the treasury at the close of business on December 31, 1926, exclusive of the money raised by loan or needed to carry out the requirements of any statute, gift, trust or special appropriation, and by the income of the financial year beginning January 1, 1927, and taxes to the amount of \$17,327,255.33 and that said amount be raised by taxation on the polls and estates in the City of Boston.

Ordered, That all sums of money which form no part of the income of the city, but shall be paid for services rendered or work done by any department or division for any other department or division, or for any person or corporation other than the City of Boston be paid into the general treasury, and that all contributions made to any appropriation be expended for the objects and purposes directed by the several contributors thereof.

Ordered, That all taxes raised to meet the appropriations of the city and all taxes assessed for meeting the city's proportion of the state tax for the year 1927, or for any other taxes or assessments payable to the Commonwealth, be due and payable on the fifteenth of September, 1927; that interest shall be charged on all taxes remaining unpaid after the second day of October, 1927, in accordance with the provisions of chapter 59, section 57, of the General Laws, until paid, except the taxes assessed upon shares of national banks, which shall bear interest at the rate of 12 per cent per annum from the fifteenth day of September, 1927, until paid, and that all interest which shall have become due on taxes shall be added to and be part of such taxes.

Ordered, That except as the appropriation for any purpose or item shall be increased by additional appropriations or transfers lawfully made, no money shall be expended by any department for any of the purposes or items designated in the tables and schedules hereinafter set out in excess of the amount set down as appropriated for such specific purpose or item; and except as aforesaid, no salary or wages shall be paid in excess of the rate in said tables and schedules.

|                                                               |                        |                                                      |                       |
|---------------------------------------------------------------|------------------------|------------------------------------------------------|-----------------------|
| Art Department.....                                           | \$1,850 00             | City Debt Requirements.....                          | \$3,500,000 00        |
| Assessing Department.....                                     | 200,000 00             | Jail .....                                           | \$125,600 00          |
| Auditing Department.....                                      | 45,000 00              | Suffolk County Courthouse, Custodian .....           | 81,000 00             |
| Boston Retirement Board.....                                  | 9,000 00               | Suffolk County Courthouse, County Buildings.....     | 50,500 00             |
| Boston Sanatorium.....                                        | 350,000 00             | County Buildings.....                                | 45,000 00             |
| Budget Department.....                                        | 5,000 00               | Supreme Judicial Court.....                          | 36,000 00             |
| Building Department.....                                      | 196,000 00             | Superior Court, Civil Session, General Expenses..... | 300,000 00            |
| Board of Examiners.....                                       | 2,500 00               | Superior Court, Civil Session, Clerk's Office.....   | 85,000 00             |
| Board of Appeal.....                                          | 4,200 00               | Superior Court, Criminal Session .....               | 295,000 00            |
| City Clerk Department.....                                    | 29,500 00              | Probate Court.....                                   | 14,000 00             |
| City Council.....                                             | 23,500 00              | Municipal Court.....                                 | 235,000 00            |
| City Council Proceedings.....                                 | 6,200 00               | Municipal Court, Charlestown District .....          | 16,000 00             |
| City Documents.....                                           | 24,000 00              | East Boston District Court.....                      | 15,500 00             |
| City Planning Board.....                                      | 4,800 00               | Municipal Court, South Boston District .....         | 12,500 00             |
| Collecting Department.....                                    | 148,000 00             | Municipal Court, Dorchester District .....           | 12,000 00             |
| Election Department.....                                      | 153,500 00             | Municipal Court, Roxbury District .....              | 35,000 00             |
| Finance Commission.....                                       | 24,000 00              | Municipal Court, West Roxbury District .....         | 12,000 00             |
| Fire Department.....                                          | 2,820,000 00           | Municipal Court, Brighton District .....             | 7,800 00              |
| Wire Division.....                                            | 55,000 00              | Boston Juvenile Court.....                           | 15,000 00             |
| Health Department.....                                        | 478,000 00             | District Court of Chelsea.....                       | 12,000 00             |
| Hospital Department.....                                      | 925,000 00             | Registry of Deeds.....                               | 84,000 00             |
| Institutions Department.....                                  |                        | Index Commissioners.....                             | 9,600 00              |
| Central Office.....                                           | 41,000 00              | Insanity Cases.....                                  | 15,000 00             |
| Long Island Hospital.....                                     | 241,000 00             | Land Court.....                                      | 3,000 00              |
| Child Welfare Division.....                                   | 100,200 00             | Medical Examiner, Northern District .....            | 13,000 00             |
| Steamer "George A. Hibbard" and launch "James J. Minot" ..... | 15,000 00              | Medical Examiner, Southern District .....            | 8,400 00              |
| Rainsford Island, care of.....                                | 1,200 00               | Associate Medical Examiner, Northern District.....   | 1,150 00              |
| Law Department.....                                           | 46,000 00              | Associate Medical Examiner, Southern District.....   | 1,150 00              |
| Library Department.....                                       | 506,000 00             | Miscellaneous Expenses:                              |                       |
| Licensing Board.....                                          | 22,500 00              | Auditing Department.....                             | 500 00                |
| Market Department.....                                        | 9,600 00               | Collecting Department.....                           | 660 00                |
| Mayor, Office Expenses.....                                   | 42,000 00              | Treasury Department.....                             | 3,100 00              |
| Public Celebrations.....                                      | 42,000 00              | Sheriff .....                                        | 1,900 00              |
| Park Department.....                                          | 1,025,000 00           | Granite Avenue Bridge.....                           | 1,600 00              |
| Cemetery Division.....                                        | 80,000 00              | Social Law Library.....                              | 600 00                |
| Public Buildings Department.....                              | 300,000 00             | House of Correction.....                             | 160,000 00            |
| Public Welfare Department.....                                |                        | Steamer "Michael J. Perkins" .....                   | 25,000 00             |
| Central Office.....                                           | 900,000 00             |                                                      | <u>\$1,733,560 00</u> |
| Temporary Home.....                                           | 4,000 00               | County Debt Requirements.....                        | \$90,000 00           |
| Wayfarer's Lodge.....                                         | 7,000 00               | Printing Department.....                             | \$200,000 00          |
| Police Department.....                                        | 3,400,000 00           | City Record, Publication of.....                     | \$17,500 00           |
| Public Works Department                                       |                        | Public Works Department, Water Service .....         | \$840,000 00          |
| Central Office.....                                           | 54,000 00              | Collecting Department, Water Division .....          | 25,000 00             |
| Bridge Service.....                                           | 400,000 00             | Water Service, debt requirements .....               | <u>\$895,000 00</u>   |
| Ferry Service.....                                            | 390,000 00             |                                                      |                       |
| Lighting Service.....                                         | 452,000 00             |                                                      |                       |
| Paving Service.....                                           | 955,000 00             |                                                      |                       |
| Sanitary Service.....                                         | 1,570,000 00           |                                                      |                       |
| Sewer Service.....                                            | 325,000 00             |                                                      |                       |
| Registry Department.....                                      | 30,000 00              |                                                      |                       |
| Reserve Fund.....                                             | 341,192 78             |                                                      |                       |
| Sinking Funds Department.....                                 | 1,500 00               |                                                      |                       |
| Soldiers' Relief Department.....                              | 375,000 00             |                                                      |                       |
| Statistics Department.....                                    | 7,500 00               |                                                      |                       |
| Street Laying-Out Department.....                             | 150,000 00             |                                                      |                       |
| Supply Department.....                                        | 27,000 00              |                                                      |                       |
| Treasury Department.....                                      | 37,000 00              |                                                      |                       |
| Weights and Measures Department .....                         | 25,000 00              |                                                      |                       |
| Bridges, Repairs, etc.....                                    | 60,000 00              |                                                      |                       |
| Ferry Improvements.....                                       | 30,000 00              |                                                      |                       |
| Granolithic Sidewalks.....                                    | 30,000 00              |                                                      |                       |
| Reconstructing and Repairing Streets by Contract.....         | 895,952 55             |                                                      |                       |
|                                                               | <u>\$18,443,695 33</u> |                                                      |                       |

## RECAPITULATION OF AMOUNTS ALLOWED, 1927.

|                                             |                        |
|---------------------------------------------|------------------------|
| From taxes:                                 |                        |
| For city purposes within the tax limit..... | \$18,443,695.33        |
| City debt requirements.....                 | 3,500,000.00           |
|                                             | <u>\$21,943,695.33</u> |
| County of Suffolk:                          |                        |
| General purposes.....                       | \$1,733,560.00         |
| Debt requirements.....                      | 90,000.00              |
|                                             | <u>1,823,560 00</u>    |
| City and County total.....                  | <u>\$23,767,255.33</u> |
| From Revenue:                               |                        |
| Printing Department.....                    | 200,000.00             |
| City Record, Publication of.....            | 17,500.00              |
| Public Works Department, Water Service..... | \$840,000.00           |
| Collecting Department, Water Division ..... | 25,000.00              |
| Water Service, debt requirements.....       | 30,000.00              |
|                                             | <u>895,000.00</u>      |
| Grand total.....                            | <u>\$24,879,755.33</u> |

## BASIS OF ESTIMATES, 1926.

|                                                          |                 |
|----------------------------------------------------------|-----------------|
| Average valuation, \$1,780,945,466.16.                   |                 |
| \$14 on the thousand brings.....                         | \$24,933,236.52 |
| Estimated income.....                                    | 5,900,000.00    |
| Amount available for appropriation inside tax limit..... | \$30,833,236.52 |

## BASIS OF ESTIMATES, 1927.

|                                                          |                 |
|----------------------------------------------------------|-----------------|
| Average valuation, \$1,841,057,566.16.                   |                 |
| \$6.52 on the thousand brings.....                       | \$12,003,695.33 |
| Estimated income and cash in Treasury.....               | 6,440,000.00    |
| Amount available for appropriation inside tax limit..... | \$18,443,695.33 |

## WAYS AND MEANS OTHER THAN TAXES FOR 1927.

An estimate of the ways and means, other than taxes, of meeting expenditures of the City of Boston and County of Suffolk for the year ending December 31, 1927.

|                                      |              |
|--------------------------------------|--------------|
| Boston Sanatorium.....               | \$77,000 00  |
| Building Department.....             | 80,000 00    |
| City Clerk Department.....           | 16,000 00    |
| Collecting Department.....           | 67,000 00    |
| Fire Department.....                 | 121,000 00   |
| Health Department.....               | 18,000 00    |
| Hospital Department.....             | 215,000 00   |
| Institutions Department.....         | 12,000 00    |
| Interest (estimated).....            | 450,000 00   |
| Library Department.....              | 17,000 00    |
| Licensing Board.....                 | 50,000 00    |
| Market Department.....               | 147,000 00   |
| Mayor.....                           | 50,000 00    |
| Park Department.....                 | 100,000 00   |
| Pedlers' licenses.....               | 8,000 00     |
| Police Department.....               | 45,000 00    |
| Public Buildings Department.....     | 20,000 00    |
| Public Welfare Department.....       | 450,000 00   |
| Public Works Department.....         | 310,000 00   |
| Registry Department.....             | 12,000 00    |
| Soldiers' Relief Department.....     | 42,000 00    |
| Street Laying-Out Department.....    | 75,000 00    |
| Weights and Measures Department..... | 13,000 00    |
| County of Suffolk.....               | 575,000 00   |
| Corporation Tax.....                 | 3,000,000 00 |
| Street Railway Tax.....              | 170,000 00   |

|                                                     |                       |
|-----------------------------------------------------|-----------------------|
| Cash in Treasury (estimated) December 31, 1926..... | \$6,140,000 00        |
|                                                     | 300,000 00            |
|                                                     | <u>\$6,440,000 00</u> |

Referred to Committee on Appropriations.

## PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

## Claims.

Atlantic Salt Company for compensation for damage to truck on ferryboat.

Henry C. Bean, for compensation for damage to property at 752 East Broadway, caused by hydrant breaking.

Jesse D. Crook, for compensation for damage to automobile caused by an alleged defect in Beacon street.

Austin E. Dolan, for compensation for damage to automobile caused by an alleged defect at 16 and 18 Lowell street.

Florence and Joseph M. Fogg, for compensation for damage to property at 752 East Broadway, caused by hydrant breaking.

Mary Horton, for refund on refuse tickets. C. F. Knapp, for compensation for damage to property at 750 East Broadway, caused by hydrant breaking.

John D. Lenderman, for compensation for damage to automobile by ash truck.

Catherine V. McEnany, for compensation for injuries caused by an alleged defect at 128 Union Park street.

Emma Mullen, for compensation for injuries caused by an alleged defect at Washington and West streets.

Charles J. Munchbach, for compensation for damage to property at 88 Day street, Jamaica Plain, by ash truck.

Daniel G. Murphy, for compensation for damage to sidewalk at 101 Sawyer avenue, caused by ash truck.

Maria Nardo, for compensation for injuries caused by an alleged defect at 60A Fleet street.

Micheli A. Sacco, for compensation for damage to property at 16 Boardman street, East Boston, caused by Park Department employees.

Anita V. Sachetti, for compensation for injuries caused by alleged defect in crosswalk on Haverhill street.

L. Shamlian, for compensation for damage to property at 11 Lothrop street, Brighton, caused by balls from playground at Murphy Field, Brighton.

Walter R. Shay, for compensation for damage to automobile by fire apparatus.

Jennie Siciliano, for compensation for injuries caused by an alleged defect at 26 Fulton street.

Michael Sidorchuck, for compensation for damage to automobile by city car.

Hildegard B. Whitehead, for compensation for damage to automobile by city truck.

## Special Committee on Jitney Licenses.

Petition of Boston Motor Tours Company to operate five buses from Boston to Fall River and Newport.

## Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Ellen F. Carney, St. Mary's Hall, February 14.

Mrs. N. A. Grenier, Municipal Building, Hyde Park, February 3.

## REMOVAL OF EDWARD J. FEELEY AS CONSTABLE.

Notice was received of the removal by the Mayor of Edward J. Feeley from position of constable.

Placed on file.

## APPROVAL OF CONSTABLE'S BOND.

The constable's bond of James E. O'Brien, having been duly approved by the City Treasurer, was received and approved.

## STORAGE AND SALE OF GASOLINE.

Notice was received from the Street Laying-Out Department of hearings to be held on February 14 on the following petition:

Carl O. Olsson, 11 Morton street, Ward 11, 3,000 gallons.

Referred to the Executive Committee.

## APPROVAL OF EXECUTIVE APPOINTMENTS.

President HEFFERNAN, under unfinished business, called up No. 1 on the calendar, viz.:

1. Action on appointment submitted by the



Mayor January 24, 1927, of S. J. Rubin, to be a Weigher of Goods.

The question came on confirmation. Committee, Coun. Donovan and Dowling. Whole number of ballots 15, and the appointment was confirmed, yeas 15, nays 0.

#### TRANSFER FOR BROADWAY BRIDGE.

President HEFFERNAN, under unfinished business, called up No. 2 on the calendar, viz.:

2. Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Massachusetts Avenue Bridge, \$10,000, to the appropriation for Broadway Bridge, South Boston, \$10,000.

On January 17, 1927, the foregoing order was read once and passed, yeas 22.

The order was given its second reading and passage, yeas 17, nays 0.

#### SEWERAGE AND HIGHWAY WORK.

Coun. GILBODY—Mr. President, under "Recommendations by the Mayor" we find on sheet 2 of the calendar two orders, one for a million dollars for sewerage work, and the other for a million dollars for highways, making of. These orders are of vital importance to the citizens and taxpayers of Boston in connection with the construction of new streets and sewers. Although the chairman of the Committee on Finance (Coun Green) is not here, I am going to make a motion, subject to his approval, that those orders be taken from the Finance Committee and referred to Executive Committee today, so that they can have their first reading today. I trust that that action will be taken, if agreeable to the Council.

President HEFFERNAN—The Chair cannot understand how a motion can be made subject to the approval of Coun. Green if he is not present.

Coun. GILBODY—Mr. President, I think you misunderstood my meaning: I did not mean subject to his approval, but to the approval of the Council. I referred to Coun. Green, because he is chairman of the committee, and I would like a chance to confer with him in regard to the matter later, as I would not wish to tread on his toes in referring this to the Executive Committee.

President HEFFERNAN—The question is on recalling the two orders from the Committee on Finance.

(The orders referred to are as follows:

In Effect After March 11, 1927.

I. Order for a loan of \$1,000,000 for Sewerage Works. Filed January 10, 1927. Referred to the Committee on Finance.

In Effect After March 18, 1927.

II. Order for a loan of \$1,000,000 for Highways, Making of. Filed January 17, 1927. Referred to the Committee on Finance.)

The motion to recall from the Committee on Finance was declared lost.

Coun. GILBODY—Mr. President, I doubt the vote and ask for a rising vote.

Coun. GUILD—Mr. President, before that matter is put to a vote it seems to me that these orders can go over for a week as well as not. Neither of these are to take effect for a period of some six weeks, at the earliest, and in the absence of Chairman Green, who might have some particular desire in the matter, I think it is unseemly to take them away from his committee. I am, therefore, opposed to the adoption of the motion in its present form, particularly in the absence of Coun. Green.

Coun. WILSON—Mr. President, do I understand that the discussion now is on the order for a loan of \$1,000,000 for next year's streets?

President HEFFERNAN—Both orders, \$1,000,000 for streets and \$1,000,000 for sewerage works, as the Chair understands it.

Coun. WILSON—Mr. President, I am as much interested in streets as anybody else, but, as I understand the facts, only sixteen streets were accepted last year. Therefore, I think this may well be put over for a week or more, in view of the fact, as Coun. Guild says, that the money is not immediately necessary. I think also it would be well to check up on the matter of how last year's million dollars has been spent. The last report I got, only about a fifth of it had been spent. I think it may be well to take stock of last year's million dollars before we appropriate this year's million—which I am in favor of.

Coun. GUILD—Mr. President, it may be a guess on my part, but it seems to me an intelligent guess, that Coun. Green's committee has deferred action upon these matters with the idea that there might be a change in the personnel of the committee, and therefore I think it would be well not to act upon the matter in the absence of Coun. Green. I think it highly improper to take the action proposed at this meeting, in his absence.

Coun. GILBODY—Mr. President, in view of the fact that certain statements have been made here, I would simply say that, as it strikes me, this is a matter that deeply concerns new streets in the outlying sections of Boston and, as I understand from authorities in charge of such matters in the Hall, no work can be done in making plans or obtaining the necessary data for the proposed work, until this million dollars is available for use in the Street Commissioners' department. The thought I had in mind was this, that the Council is usually late in passing these orders, with the result that time runs along and it is May, June or later before plans can be made by the different departments, and we have got to the last of August or in the fall before any work can be done. The result is, in such a case, that no satisfactory work is done during the year. In order to anticipate that situation, I thought we might get some action upon these orders today. I know that the chairman of the committee is a perfectly fairminded man, and I think he would realize the reasons that actuated me in making the motion. But, in view of the fact that the proposed action, taking these matters from the Finance Committee and referring them to the Executive Committee today, is objected to, in view of the absence of the chairman, I am perfectly willing to withdraw my motion and let the orders take their due course.

President HEFFERNAN—The gentleman desires to withdraw his motion. Unless objection is made, the motion is withdrawn.

#### CONTROL OF BOSTON ELEVATED RAILWAY.

Coun. DOWD offered the following:

Whereas, There is now pending in the Massachusetts Legislature a bill providing for the extension of from forty to fifty years of the control of the Boston Elevated Railway Company by the Board of Public Trustees; and

Whereas, The years during which the Board of Public Trustees has administered the Boston Elevated Railway Company have witnessed a steady decline in the service of this public utility to the citizens of Boston, notwithstanding an increase in fare; therefore be it

Resolved, That the Boston City Council go on record as opposed to granting to the Board of Public Trustees any further extension of its powers over the Boston Elevated Railway; and that it favors the plan proposed by former Representative Luke D. Mullen of Charlestown calling for the purchase of the elevated structures, their removal, and the substitution of subway or tunnel transportation.

Referred to the Executive Committee.

## ELECTRIFICATION OF STEAM ROADS.

Coun. GUILD offered the following:

Whereas, The various steam railroads entering the City of Boston are committed to a policy of abandoning the transportation of passengers between Boston and suburban points as being unprofitable; and

Whereas, This policy has contributed more than any other factor to the congestion in the streets of Boston, and the existence of a serious traffic problem with its concomitant expense to the city; and

Whereas, The lines of existing steam railroads are natural traffic arteries already in existence; and

Whereas, The transportation of passengers between Boston and suburban points can be done at a profit by electric railroads;

Resolved, That the Boston City Council favors the electrification of steam railroads entering Boston and that it favors legislation looking to such electrification.

Referred to the Executive Committee.

## ACCEPTANCE OF FAXON STREET.

Coun. DONOVAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Faxon street, between Butler avenue and Riverside avenue, Ward 1.

Passed under suspension of the rule.

## ANNUITY TO THOMAS H. WRIGHT.

Coun. DONOVAN offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation to authorize the city to pay an annuity to Thomas H. Wright, formerly employed in the repair shop of its Fire Department.

Passed under suspension of the rule.

## CERTAIN BILLS FILED IN LEGISLATURE.

Coun. HEFFERNAN, for the Committee on Legislative Matters, to whom was referred bill filed in the Massachusetts Legislature relative to exemption of certain property from taxation, and also bill concerning the number of Overseers of Public Welfare, reported, recommending that the Boston City Council take no action on this legislation.

Report accepted.

## BILLS IN RE PASSAGE OF ORDINANCES AND LOAN ORDERS.

Coun. HEFFERNAN, for the Committee on Legislative Matters, to which were referred bills filed in the Massachusetts Legislature by the Finance Commission, regulating the passage of ordinances and loan orders of the City of Boston, and to regulate takings by eminent domain in the City of Boston, submitted report recommending passage of the accompanying order, viz.:

Ordered, That the chairman of the Legislative Committee be instructed to appear before the proper committees of the Massachusetts Legislature in opposition to bill filed by the Finance Commission regulating the passage of ordinances and loan orders of the City of Boston in its present form; and in opposition to the bill filed by the Finance Commission to regulate takings by eminent domain in the City of Boston.

Coun. PARKMAN—Mr. President, I should like to see the report of the committee adopted in a slightly different form than the way it now reads, so far as it relates to the passage of loan orders in the City Council. The order in its present form directs the chairman of the Legislative Committee to

appear in opposition to the bill as it now reads, and goes no further. If the Council is in favor of some change in the city charter, which would avoid the situation which occurred last summer, when the snow removal order was put across here by a majority vote, I think the Council should consider at this time what further instructions to give the chairman of the Legislative Committee, or that the Legislative Committee should perhaps be instructed to prepare a substitute bill. I make a motion, therefore, that the report of the committee be amended so as to add a provision for the chairman of the Legislative Committee to appear in opposition to the present bill, but to favor the bill in principle.

President HEFFERNAN—The Chair would suggest to the councilor that the report of the committee be referred to the Executive Committee.

Coun. PARKMAN—Mr. President, that will be satisfactory to me.

The report was referred to the Executive Committee.

## WIDENING OF RIVER STREET.

Coun. WRAGG offered the following:

Resolved, That the City Council of the City of Boston hereby approves the enactment of legislation to authorize the city to borrow money outside the debt limit, for the widening of River street from Mattapan square to Pierce square.

Passed under suspension of the rule.

## REBUILDING OF BRIDGE NEAR MORTON STREET STATION.

Coun. WILSON offered the following:

Resolved, That the City Council of the City of Boston hereby approves the enactment of legislation to authorize the city to borrow money outside the debt limit, for the rebuilding of a bridge over a railroad location near the Morton Street Station.

Passed under suspension of the rule.

## WIDENING OF DORCHESTER AVENUE.

Coun. WILSON offered the following:

Resolved, That the City Council of the City of Boston hereby approves the enactment of legislation to authorize the city to borrow money outside the debt limit, for the widening of Dorchester avenue.

Passed under suspension of the rule.

## RECESS.

On motion of Coun. MAHONEY, the Council voted at 2.29 p. m. to take a recess, subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President Heffernan at 4.27 p. m.

## EXECUTIVE COMMITTEE REPORTS.

Coun. DOWLING, for the Executive Committee, submitted the following:

1. Report on petitions referred today) recommending that permits be granted for children under fifteen years of age to appear at places of public amusement, viz.:

Ellen F. Carney, St. Mary's Hall, February 14.

Mrs. N. A. Grenier, Municipal Building, Hyde Park, February 3.

Report accepted; said permits granted under usual conditions.

2. Report on the report of the Committee on Legislative Matters, with accompanying



order (referred today) instructing the chairman of the Legislative Committee to appear before the proper committees of the Massachusetts Legislature in opposition to bill filed by the Finance Commission regulating the passage of ordinances and loan orders of the city in its present form, and in opposition to the bill filed by the Finance Commission regulating takings by eminent domain in the City of Boston,—recommending reference of same to Committee on Legislative Matters.

Report accepted; said reference ordered.

3. Report on order submitted by the Mayor (referred January 24) appropriating \$25,000 to be expended for the Traffic Advisory Committee, under the direction of the Mayor, in the prosecution of its duties, etc.—that no further action is necessary.

Report accepted.

4. Report on new order submitted by the Mayor (referred today) appropriating \$25,000 to be expended by the Traffic Advisory Committee, under the direction of the Mayor, in the prosecution of its duties, said sum to be charged to the Reserve Fund, when made,—that the same ought to pass.

Report accepted; said order passed, yeas 19, nays (Coun. Fitzgerald), 1.

5. Report on order submitted by the Mayor (referred January 10) appropriating a sum not in excess of \$3,500 to be expended by the Board of Zoning Adjustment, under the direction of the Mayor, in the prosecution of its duties, said sum to be charged to the Reserve Fund, when made,—that the same ought to pass.

Report accepted; said order passed, yeas 20, nays 0.

6. Report on preambles and resolution (referred today) favoring the electrification of steam railroads entering Boston, and favoring legislation looking to such electrification,—that the resolution ought to pass.

Report accepted; resolution adopted.

7. Report on preambles and resolution submitted by Coun. Dowd (referred today) opposing bill pending in the Legislature providing for extension of from forty to fifty years of control of Boston Elevated Railway by the Board of Public Trustees, and favoring adoption of Mullen plan,—that the same ought to pass.

Report accepted, said preambles and resolution declared passed.

Later in the session Coun. DOWD said:

In the reports of the Executive Committee has there been any report on the resolution that referred to the extension of Elevated control and the plan proposed by former Representative Luke D. Mullen?

Coun. PARKMAN—Mr. President, my understanding is that that was laid on the table for one week.

President HEFFERNAN—The Chair will rule that it has been reported by the committee and that the report of the committee has been accepted and the resolution passed.

Coun. PARKMAN—Then, Mr. President, I move a reconsideration of the action of the Council.

Coun. GUILD—And I second the motion, Mr. President.

Coun. WILSON—Mr. President, may I ask that the Chair have the vote put on the measure in the way in which it was reported from the Executive Committee—namely, in split form, one part dealing with further control for an extended term of years by the Trustees of the Elevated, and the second part dealing with the purchase of the elevated structures and the building of a subway to Lowell or intermediate points?

Coun. Parkman's motion to reconsider the acceptance of the report and the adoption of the resolution was declared carried.

Coun. DOWD doubted the vote and asked for a rising vote.

Coun. KEENE—Mr. President, I rise to a question of information—whether there was not a division of the resolution in executive session?

President HEFFERNAN—The chairman of the Executive Committee will kindly report as to the situation in that respect?

Coun. DOWLING—Mr. President, I understood—and I hope I will be corrected by the committee if I am wrong—that the question was divided, and that the report as it has been read here was made by the committee. There was a division of the two propositions contained in the resolution that was offered and referred.

Coun. GUILD—Mr. President, isn't the question now on reconsideration of the action that was taken?

President HEFFERNAN—The Chair will rule that it is.

Coun. GUILD—And the vote we are about to take is whether our action shall be reconsidered?

President HEFFERNAN—Yes. The Chair would suggest that, as this matter has apparently been reported upon as an entire proposition, it be referred to the Executive Committee, by whom it may be reported here dealing with the separate parts, as was the intention of the committee. The Chair would make that suggestion if the motion to reconsider prevails.

Coun. DOWD—Mr. President, my main purpose in offering the resolution today was that it might be acted upon before this matter that is referred to in it is passed upon by the Legislature. I understand that the committee of the Legislature has had a hearing upon it and is considering it at the present time, and no doubt within two or three days may act upon it. If we put it over for another week, until next Monday, it may be too late for us to act, and I believe we should act today.

Coun. ARNOLD—Mr. President, if my recollection serves me correctly, back in 1918, when this matter was first before the Committees on Street Railways and Metropolitan Affairs of the Legislature, acting jointly, they had it under consideration for something like three months. So I do not believe the councilor's fears have any material grounds. I personally believe that this act will be before the joint committees of the Legislature for some time to come. Therefore, I see no reason why this matter cannot be referred again to the Executive Committee, so that they may bring in the report that they really intended should be brought in here today.

Coun. DOWLING—Mr. President, I believe the motion before the Council at this time is to reconsider, and I always believe that a matter should be reconsidered when there is some misunderstanding about it. I believe that there is clearly some misunderstanding here. While I do not always agree with the ideas of the gentleman who asked reconsideration, I do take the same position that he takes upon this matter. I hope reconsideration will prevail, because the two questions involved here should be clearly understood by the members of the committee. I think if we act upon the resolution in a divided form, we shall have no difficulty in arriving at the right solution. Therefore, I hope the motion to reconsider will prevail, and the matter can then be acted upon as it was intended to be acted upon in the committee.

Coun. GILBODY—Mr. President, I would make a suggestion that the motion to reconsider be withdrawn, and that the matter be referred to the Executive Committee, to be straightened out there.

President HEFFERNAN—The motion to reconsider must first prevail before the matter can be referred again to the committee. The Chair would suggest that, inasmuch as there was a division of the vote in committee, we reconsider the action we have taken here and then vote upon the two matters separately.

Coun. WILSON—Mr. President, in the Executive Committee that paper was considered in its present form, and it was there decided that we should divide the subject matter with which it deals into two parts, one the resolution dealing with long term control by the trustees, with a suggestion of opposition on our



part to any further extension of the powers of the trustees over the Boston Elevated Railway; and second, the part of the resolution dealing with the plan proposed by former Representative Mullen of Charlestown, calling for the purchase of the elevated structures, their removal, and the substitution of subway or tunnel transportation, possibly clear out to Lowell. In the committee we voted to divide those two questions, and voted to go on record only as against the proposed extension of control of the Boston Elevated for forty to fifty years. When the Clerk read the report today, I voted with the feeling that we were simply carrying out that vote in the committee, which was that we were opposed to that long extension of control under the trustees. But I certainly did not think that we were voting in favor of the destruction of the elevated structures and the carrying out of an indefinite plan of subway or tunnel construction. I certainly do not feel that I or anybody else should be jockeyed into any such vote under a misapprehension, and consequently I trust that the motion to reconsider will prevail.

President HEFFERNAN—The report was read exactly as it was turned in by the chairman of the Executive Committee, but apparently there was a misunderstanding.

Coun. PARKMAN—Mr. President, if it would advance matters I shall be glad to withdraw the motion to reconsider and the Council can go then into executive session for a very few minutes, straighten the thing out, and then come back and report in accordance with the wish of the committee. If that is the best way to proceed, I will withdraw the motion to reconsider and would suggest that the matter be referred to the Executive Committee and acted upon this afternoon.

President HEFFERNAN—The Chair will rule that nothing can be done until our action is first reconsidered.

The Council's action in accepting the report of the committee and adopting the resolution was reconsidered.

President HEFFERNAN—The Chair awaits the pleasure of the Council.

Coun. FREELEY—Mr. President, I move that we take a recess for five minutes.

Coun. PARKMAN—Mr. President, before we take a recess I move that the matter be recommitted to the Executive Committee for action this afternoon.

Coun. Parkman's motion, that the report be recommitted, was carried.

The Council voted at 4.40 p. m. to take a recess for five minutes, and at 4.45 p. m. was called to order by President Heffernan.

The Executive Committee reported on the resolution (offered by Coun Dowd and referred today) for opposition to further extension of public control by the trustees and approval of plan for purchase of elevated structures, recommending (a) that the Boston City Council go on record as opposed to granting to the Board of Public Trustees of the Boston Elevated Railway Company the proposed extension of from forty to fifty years of control of the railway; and (b) favoring the plan proposed by former Representative Luke D. Mullen of Charlestown calling for the purchase of the elevated structures, their removal, and the substitution of subway or tunnel transportation.

President HEFFERNAN—The question comes on the acceptance of the report of the committee.

The report was accepted.

Coun. WILSON—Mr. President, I would now move, dealing with the recommendations of the committee, that they be split, striking out for purposes of the first roll call, if there is a roll call, all following the semicolon in the final paragraph,—namely "and that it favors the plan proposed by former Representative Luke D. Mullen of Charlestown calling for the purchase of the elevated structures, their removal and the substitution of subway or tunnel transportation."

Coun. Wilson's amendment was adopted,

and that part of the resolution providing that the "Boston City Council go on record as opposed to granting to the Board of Public Trustees any further extension of its powers over the Boston Elevated Railway" was declared adopted. Coun. FITZGERALD doubted the vote and asked for a rising vote. The Council stood divided, and that part of the resolution was declared adopted 10 to 8.

Coun. FITZGERALD further doubted the vote and asked for the yeas and nays.

Coun. RUBY—Mr. President, I rise to a question of information. May I ask, whether, if we favor the amendment, we are simply going to have the resolution submitted to us in two divisions? Is that the purport of the amendment?

President HEFFERNAN—The Chair rules that the adoption of the amendment would strike out the balance of the resolution entirely.

Coun. RUBY—Mr. President, may I ask if that was the purport of the Executive Committee's report?

President HEFFERNAN—The Chair will rule that that was not the purport of the Executive Committee's report. Any member, however, can offer a motion to amend, as Coun. Wilson did.

Coun. WILSON—Mr. President, I think the Chair misunderstood my motion. I am not trying to jockey the other side, any more than I care to be jockeyed. I simply raise the point that I don't care to vote in one motion or in one resolution upon the question of whether we favor an extension of control of the Boston Elevated, and also whether we favor the demolition of the elevated structures, and also whether we favor the construction of subways or tunnels to parts unknown, at the present time, even though it may be favored by Mr. Mullen. My reason for making the amendment, therefore, was simply to strike out for the time being the part following the semicolon, so that we could vote clearly on what preceded that. But, on the other hand when that is disposed of, I have no objection to the latter part following the semicolon being taken up, so that everybody may have a chance at the Luke Mullen proposition.

President HEFFERNAN—The Chair is willing to accept the amended motion as made by Coun. Wilson, if there is no objection.

Coun. FITZGERALD—Mr. President, I would like to have Coun. Wilson state his motion again.

Coun. WILSON—Mr. President, the resolution as reported, through an obvious error, was reported in a way contrary to the way in which we voted in the executive session. Unless it is amended in such a way as I have just suggested, it will force every man in this room to vote on one resolution which includes two different parts, namely, that we oppose further control of the Elevated by the trustees, and also that we are for or against Luke Mullen's bill. I merely ask in my motion that we leave the Luke Mullen part out of it and vote first for or against the extension of Elevated control by the trustees. That having been settled, by roll call or otherwise, I am entirely willing that everybody should then have a chance to be recorded for or against the Luke Mullen part of the resolution. My point is simply that I don't think the two matters should be combined in one resolution, and that we should be expected to vote on both of them together, when they should properly be divided.

Coun. FITZGERALD—Mr. President, if Coun. Wilson's motion prevails and we pass the resolution as he intends, it wipes out all reference to the Luke Mullen bill, does it not?

President HEFFERNAN—The Chair rules under the motion as made that, first, a vote will be taken on the first part of the resolution, dealing with the extension of public control, and then on the so-called Luke Mullen part of the resolution.

Coun. FITZGERALD—Mr. President, I would like to ask Coun. Dowd, through you, if he is satisfied with that arrangement.

Coun. DOWD—Yes, Mr. President. That was the understanding in executive session.

President HEFFERNAN—The question now comes on the adoption of the first clause in the resolution, down as far as the semicolon.

The first part of the resolution, viz.: "Resolved, That the Boston City Council go on record as opposed to granting to the Board of Public Trustees any further extension of its powers over the Boston Elevated Street Railway," was declared adopted.

President HEFFERNAN—The question now comes on the adoption of the remainder of the resolution ("and that it favors the plan proposed by former Representative Luke D. Mullen of Charlestown calling for the purchase of the elevated structures, their removal, and the substitution of subway or tunnel transportation").

Coun. WILSON—Mr. President, I move that that latter part of the resolution be laid on the table for one week.

Coun. DOWD—Mr. President, I ask for a roll call.

Coun. GUILD—Mr. President, on the question of laying on the table for one week I would like to say this —

President HEFFERNAN—The Chair will rule that the motion to lay on the table is not subject to debate.

The motion to lay on the table was carried, yeas 12, nays 7:

Yeas — Coun. Bush, Dowling, Englert, Freeley, Guild, Keene, McGrath, McMahon, Parkman, Ruby, Wilson, Wragge—12.

Nays—Coun. Dowd, Fitzgerald, Gilbody, Green, Heffernan, Mahoney, Ward—7.

#### TERMINATION OF COUNCIL COMMITTEES.

Coun. KEENE offered the following:

Ordered, That the term of office, as members of the several standing and special committees named in the rules, of the members of the City Council heretofore appointed on said committees, be terminated upon February 7, 1927.

The order was read a second time, and the question came on its passage.

Coun. PARKMAN—Mr. President, it seems to me it would be a great mistake to pass this order terminating the term of office of the committees. This body is a body elected for two years, and presumably the committees are appointed for two years, and it takes a vote of the Council to remove them. There are certain committees of the Council which have been acting during the past year, and to my mind the efficiency of our work depends in large measure upon their continuing in office not only for the first year but for the second. I would refer, among others, to the Legislative Committee. When the Council first organizes, in the first part of January, the Legislative Committee is appointed, and a new committee, it seems to me, would be unable to take any intelligent position on legislation which may already have been introduced into the Legislature or may be before the Legislature at that time, although the committee which has already been acting upon such matters may be entirely familiar with them. In the course of the year the Legislative Committee naturally becomes familiar with such matters and is in a position to determine the policy which should be adopted in regard to legislation one way or the other. The importance of such a committee becomes greater in the second year of its term than in the first. The same thing is true of the Committee on Appropriations. If committees are to be changed in the middle of the existence of this body, it seems to me there will be a great loss in efficiency. The members of a committee become familiar with the matters that would naturally be referred to it—in the case of

the Committee on Appropriations, for example, the budget, and if the committee is not going to be continued in office the second year of the term it ceases to have the value that it would otherwise have, as the work cannot be taken up as intelligently by another succeeding committee. I think the Council should consider the matter very seriously before removing committees that are in existence, and not only this present Council, but having in mind the establishment of a precedent for future councils.

Coun. KEENE—Mr. President, under our rules the presiding officer has not only the power but the duty to appoint committees that he thinks will best serve the body and the city during his incumbency. We now have a new president of the body and I think it would be extraordinary if the body did not give to the new presiding officer that power. A duty rests upon him. Unless the President of the Council has the right to say who shall serve on the committees, not only as members but as chairmen, to assist him in carrying out his work, he is not enjoying the rights and the prerogatives that a presiding officer properly has; and I sincerely hope the members of the Council will extend that privilege and that courtesy to our new president, so that he may perform his duties and function in that respect in the way that a presiding officer is supposed to function.

Coun. McGRATH—Mr. President, I think the most forceful argument in favor of giving the president the right to change the committees is that which has been advanced by the gentleman who has just taken his seat. He occupied the chair last year and appointed certain committees, and our new president should have that same right, the right that is supposed to be exercised by the presiding officer of a body. Not only that, but we have in our membership the gentleman from South Boston (Coun. Mahoney) who was not a member of the body at the first of last year, and who had to take the leftovers. It seems to me that he and other members should be given the same opportunity to obtain committee appointments at the hands of our new president that members of the body enjoyed last year under our preceding presiding officer.

Coun. DOWLING—Mr. President, it is so seldom that I disagree with the gentleman from Ward 5 (Coun. Parkman) that it is now almost a pleasure to disagree with him. I think the President of the Council ought to have the power to appoint his committee. I think the proper functioning of the Council depends a good deal on the relations between the president and the members, and I think the president's success in presiding over the body depends a good deal on the co-operation he gets. After all, he is the man whom we look upon to guide us here, and I certainly think the president, like any president of a body, ought to have the power to appoint his committees. Therefore, I hope the motion will prevail.

Coun. FREELEY—Mr. President, I would like to say that I am in favor of the attitude taken by my colleague from Brighton (Coun. Dowling), feeling not only that the new president should have a right to make changes in committees if he wishes to do so, but also feeling that we, the different members of the body, who have been acquainted here for a year and whose term together will be another year, might well have a chance to change our committees, in order that we may get the all-around experience that would go with membership on different committees. I feel that the committees should be changed.

Coun. BUSH—Mr. President, I am heartily in accord with the sentiments expressed by the councilor from West Roxbury (Coun. Keene) not only because of the reasons expressed by him but also because of the fact that, since the Council has seen fit to elect



a new president, it should be left to that new president to exercise the discretion he desires as to the heads and members of committees to serve under him. With reference to the argument used by the councilor from Ward 5 as to the value of having certain members continue on certain committees, I feel sure that the President of the Council will take into consideration the fact that there are some committees that might perhaps best function along the lines in which they have been acting if they are continued with the same personnel.

Coun. DOWD—Mr. President, I move the previous question.

The order was passed.

#### CONTRACTS WITH CITY OF BOSTON.

Coun. McGRATH submitted the following:

In the Year Nineteen Hundred and Twenty-Seven.

An Ordinance Concerning Contracts with the City of Boston.

Be it ordained by the City Council of Boston, as follows:

Chapter 40 of the Revised Ordinances of 1925 is hereby amended by adding at the end of clause A or section 18 the words, "whose plant or plants are located in the United States," and by adding at the end of clause B of said section the words, "whose plant or plants are located in the United States."

Referred to the Committee on Ordinances.

#### MUNICIPAL EMPLOYMENT BUREAU.

Coun. WARD offered the following:

Ordered, That a committee of five members of the Boston City Council be appointed to investigate the Municipal Employment Bureau of the City of Boston, and to report the result thereof to the City Council.

Passed under suspension of the rule.

Coun. RUBY—Mr. President, I do not believe that that order should be passed at this time.

President HEFFERNAN—The Chair will rule that the order has already passed.

Coun. FITZGERALD addressed the Chair and was recognized.

Coun. RUBY—Mr. President, I doubt the vote.

President HEFFERNAN—The Chair will rule that the doubt is too late. Coun. Fitzgerald has been recognized.

Coun. RUBY—Mr. President, I understand that under our procedure I can move a reconsideration after Mr. Fitzgerald has introduced his order, or must I do it before?

President HEFFERNAN—The Chair will rule that the gentleman may do so, provided he is recognized by the Chair.

Coun. RUBY—Thank you, sir.

#### COPIES OF PENDING LEGISLATIVE BILLS.

Coun. FITZGERALD offered the following:

Ordered, That the City Messenger be instructed to keep on file in his office copies of all bills pending before the Massachusetts Legislature which refer to matters pertaining to the City of Boston of any and all description.

Passed under suspension of the rule.

#### APPROVAL OF EAST BOSTON TUNNEL.

Coun. GREEN, for Coun. Donovan, offered the following:

Resolved, That the Boston City Council hereby favors the enactment by the General Court of the Commonwealth of Massachusetts of legislation to authorize the City of Boston to construct between Boston and East Boston a tunnel or tunnels for vehicular traffic, and for the apportionment of the cost of construction of said tunnels upon the political subdivisions of the Commonwealth, or upon the Commonwealth.

The resolution was laid on the table on motion of Coun. DOWD.

#### MOTION TO RECONSIDER.

Coun. RUBY—Mr. President, I move that the passage of Coun. Ward's order for the appointment of a committee to investigate the Municipal Employment Bureau be reconsidered.

The motion to reconsider was declared lost. Coun. RUBY doubted the vote and asked for the yeas and nays.

Reconsideration was refused, yeas 8, nays 12:

Yeas—Coun. Bush, Dowling, Guild, Keene, McGrath, Ruby, Wilson, Wragg—8.

Nays—Coun. Donovan, Dowd, Englert, Fitzgerald, Freely, Gilbody, Green, Heffernan, Mahoney, McMahon, Parkman, Ward—12.

#### COUNCIL'S DUTY ON LEGISLATIVE BILLS.

Coun. McGRATH—Mr. President, I would like to ask unanimous consent to make a statement.

President HEFFERNAN—If there is no objection, you may make your statement.

Coun. McGRATH—Mr. President, I notice in this week's papers that the General Court of Massachusetts threw out all bills affecting the City of Boston that had been introduced by members of the Legislature, because one of their final acts last year was to insist that whatever bills affected a city or town—in our case, whatever bills affect the City of Boston—must be signed first by the Mayor and the City Council. I think that is one of the most important things that has come about since our coming into office. I think it is one of the things that everyone of us should keep in mind. Instead of the Massachusetts Legislature running the affairs of the City of Boston, they are now in the hands of the Mayor and the City Council. With that thought in mind I want to have this put into the record, that it would be well for us to govern ourselves accordingly and to give due consideration to any order that is introduced here which involves going to the Legislature, because now our action will be of some real importance when it leaves this body.

#### GENERAL RECONSIDERATION.

On motion of Coun. DOWLING, the Council refused a general reconsideration of all action taken at this meeting.

Adjourned, on motion of Coun. WARD, at 5.05 p. m., to meet on Monday, February 7, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, February 7, 1927.

Regular meeting of the City Council in the Council Chamber at 2 p. m., President HIEFFER-NAN in the chair, and all the members present.

## JURORS DRAWN.

Jurors were drawn, in accordance with law, the Mayor absent, as follows:

Forty traverse jurors, Superior Criminal Court, First Session, to appear March 7, 1927:

John A. Curran, Ward 1; John W. Farmer, Ward 1; Nicholas J. Furlong, Ward 2; John Babstock, Ward 3; William Egan, Ward 3; Jeremiah F. Hayes, Ward 3; Ralph C. Campbell, Ward 4; William A. Gibson, Ward 4; Herman L. Beal, Ward 5; Frederick F. Blakely, Ward 5; John H. Cochran, Ward 5; William Richard Hamilton, Ward 5; Francis Duffey, Ward 6; James V. Farrell, Ward 6; James J. Flavin, Ward 6; Edward M. Illingworth, Ward 6; Timothy L. Mascal, Ward 7; Michael McGrath, Ward 7; John T. McCarthy, Ward 8; Henry G. Lettig, Ward 10; Lewis F. Sampson, Ward 10; Thomas T. Clark, Ward 11; John J. Curran, Ward 12; Arthur R. Dinn, Ward 12; Herman A. Knauber, Ward 13; Albert W. Salles, Ward 13; Thomas Clements, Ward 14; Julius Jacobs, Ward 14; Charles E. Twitchell, Jr., Ward 14; William Brenneis, Ward 15; Harry R. Clifford, Ward 17; Frederick W. Poor, Ward 17; Isidor J. McViney, Ward 18; Chester S. Aldrich, Ward 19; John P. Geischecker, Ward 19; Francis W. Graham, Ward 20; Martin Bauer, Ward 21; Arthur M. Wright, Ward 21; Eugene F. Donnelly, Ward 22; Garfield Hooper, Ward 22.

Forty traverse jurors, Superior Criminal Court, Second Session, to appear March 7, 1927:

John J. Collins, Ward 1; Neil D. Jones, Ward 1; John F. Kelly, Ward 1; Emilio Marini, Ward 1; William B. Roe, Ward 1; Frank E. Davis, Ward 2; George A. Miller, Ward 2; Roland P. Nolan, Ward 2; Thomas O'Riordan, Ward 2; William S. Clarke, Ward 3; James Collins, Ward 3; Adolf Klemmer, Ward 3; John Lanigan, Ward 3; Harris Levin, Ward 3; Vincent M. Murphy, Ward 3; Daniel J. O'Neil, Ward 3; Arnold S. Ladd, Ward 4; Thomas F. Lynch, Ward 4; Kenneth S. Domett, Ward 5; Arthur Phillips, Ward 5; John J. Haley, Ward 6; Edmund D. T. Harrington, Ward 6; Thomas A. Finnerty, Ward 10; Louis Hoffman, Ward 10; Frank J. Quinn, Ward 10; Arthur J. Moore, Ward 11; William F. Dailey, Ward 11; Oscar Max Kunze, Ward 11; Frederick H. Tove, Ward 11; William Berly, Ward 12; Dennis J. Murphy, Ward 14; Samuel Smith, Ward 14; George W. Conlan, Ward 18; Ralph L. Waldron, Ward 18; Herbert C. Gay, Ward 19; William C. Stinson, Ward 19; Robert W. Allen, Ward 20; Lewis J. B. Walker, Ward 20; Robert C. Gwin, Jr., Ward 21; Frederick Westing, Ward 21.

Forty traverse jurors, Superior Criminal Court Third Session, to appear March 14, 1927:

John J. Flaherty, Ward 1; George Laundry, Ward 1; John Marini, Ward 1; William P. Smiddy, Ward 1; Thomas F. Murphy, Ward 2; Patrick J. Orpin, Ward 3; Joseph F. Young, Ward 3; William J. Cooney, Ward 4; John C. Harrington, Ward 5; Richard S. Matthews, Ward 5; Thomas Ross, Ward 6; Albert Burroughs, Ward 8; Richard S. Gookin, Ward 8; Myer Weiss, Ward 8; William Lieber, Ward 10; Joseph A. Power, Ward 10; John J. Dow, Ward 11; George J. Higgins, Ward 11; George H. Moeller, Ward 11; William V. Shine, Ward 11; Thomas A. Ward, Ward 11; John W. Bates, Ward 12; Frank E. Veazie, Ward 12; Frederick L. Riley, Ward 13; Herman W. Draheim, Ward 15; Joseph Herbert Gould, Jr., Ward 16; John J. Lane, Ward 16; Thomas McCormick, Ward 16; John R. Putnam, Ward 16; William H.

Thayer, Ward 16; Ellsworth J. McLeod, Ward 17; Thomas J. Crump, Ward 18; Michael H. Glynn, Ward 18; Frederick R. Land, Ward 18; George H. McIntosh, Ward 18; Michael J. Grady, Ward 19; George A. Maloney, Ward 19; John J. Schneider, Ward 19; Edmund J. Twobig, Ward 19; Horace G. Wellington, Ward 19.

Twenty-eight traverse jurors, Superior Civil Court, First Session, to appear March 7, 1927:

James P. Constantine, Ward 1; Daniel D. Doherty, Ward 1; Denis Dacey, Ward 2; Patrick F. Ryan, Ward 2; James L. Cass, Ward 2; Thomas A. Sheerin, Ward 2; William H. Barker, Ward 3; Max Holzman, Ward 3; Edwin A. Black, Ward 4; Robert E. Hennessy, Ward 5; Olof Wenstrom, Ward 5; John J. Feeney, Ward 6; George H. Reilly, Ward 6; Stephen F. Cheney, Ward 7; John E. Mackin, Ward 7; Andrew E. Fichtner, Ward 8; Arthur P. Thomas, Ward 8; Edward F. Flatley, Ward 10; Charles E. Foss, Ward 10; Howard Lewis, Ward 12; James J. Cronin, Ward 13; Charles S. Prescott, Ward 15; John A. Joseph, Ward 17; John J. O'Neil, Ward 18; Hammond W. Ordway, Ward 20; Edward E. Ryder, Ward 20; George H. Weston, Ward 20; Joseph E. Doherty, Ward 21.

Twenty-seven traverse jurors, Superior Civil Court, Second Session, to appear March 7, 1927:

David Davis, Ward 1; Peter H. Healy, Ward 1; James E. Murray, Ward 1; Michael Cronin, Ward 2; Edmund B. Hughes, Ward 4; Ernest H. Magnusson, Ward 5; Robert T. Murray, Ward 5; John T. Nightingale, Ward 5; Thomas J. Gough, Ward 6; Daniel Joseph Casey, Ward 7; James F. McCarthy, Ward 7; Ward E. Neihy, Ward 8; Francis Madden, Ward 9; William B. Reed, Ward 9; Herbert F. Pearson, Ward 11; John P. Clark, Ward 13; Bartholomew F. King, Ward 13; James F. McKeever, Ward 14; Peter V. Martuscelli, Ward 16; Otis J. Aldrich, Ward 17; Francis J. McCool, Ward 17; Frank K. Eldridge, Ward 18; Edwin N. Ruddock, Ward 18; John F. Ryan, Ward 18; William E. Morrison, Ward 19; Ernest Charles Cox, Ward 21; Percy L. Slayton, Ward 21.

Twenty-eight traverse jurors, Superior Civil Court, Third Session, to appear March 7, 1927:

Norbert F. Brink, Ward 1; Charles W. Feeley, Ward 1; Charles J. Jenkins, Ward 1; Francis R. Scully, Ward 1; Arthur S. Hathaway, Ward 3; Farle A. Masters, Ward 3; John J. O'Keefe, Ward 3; John R. Coleman, Ward 5; Edward C. Donnelly, Ward 5; Timothy Harrington, Ward 6; James O. Lawrence, Ward 6; Richard B. Locke, Ward 6; Frank H. Lyons, Ward 6; William Dyer, Ward 8; Theodore F. Hayden, Ward 9; James E. O'Brien, Ward 9; Scott T. Pettit, Ward 10; Joseph T. Chase, Ward 12; Charles L. Bennett, Ward 14; John B. Moore, Ward 17; Allan G. Mower, Ward 17; Rudolph Kundert, Ward 18; Daniel J. O'Keefe, Ward 18; Francis H. Jackson, Jr., Ward 20; Benjamin Franklin Macdonald, Ward 20; Frederick W. Carroll, Ward 21; James J. McDevitt, Ward 21; Richard H. Walsh, Ward 22.

Twenty-seven traverse jurors, Superior Civil Court, Fourth Session, to appear March 7, 1927:

James L. Mahoney, Ward 1; John J. McGrath, Ward 1; James A. Buckley, Ward 2; Richard J. Donovan, Ward 2; Patrick E. Haney, Ward 2; Albert W. Moran, Ward 2; Frank C. Goddard, Ward 4; George J. Moynihan, Ward 6; Frank G. McCarthy, Ward 7; John C. Spillane, Ward 7; Edward F. Welch, Ward 7; George E. A. Smith, Ward 9; Joseph K. Finn, Ward 10; William A. Henderson, Ward 10; William J. Fitzpatrick, Ward 11; Fred S. Whitmarsh, Ward 11; Leo Gilmore, Ward 12; Samuel Poverman, Ward 12; Charles F. Follansbee, Ward 13; John Moriarty, Ward 13; James H. Rich, Ward 16; John M. Greene, Ward 17; Walter M. McDonough, Ward 19; Frank J. McElroy, Ward 19; Martin W. Joyce, Ward 20; John J. Flynn, Jr., Ward 22; Richard F. Rooney, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Fifth Session, to appear March 7, 1927:

Raymond Feeley, Ward 1; Thomas Patrick Donahue, Ward 1; Clement A. MacDonald, Ward 1; William F. McCarthy, Ward 1; John J. Hourihan, Ward 2; Daniel H. Sweeney, Ward 2; William McIsaac, Ward 3; George I. Winslow, Ward 4; James F. Allen, Ward 5; Patrick J. McMahon, Ward 6; Charles E. Eaton, Ward 8; Charles F.

McGuire, Ward 9; Jeremiah Donovan, Ward 10; Charles F. Gildea, Ward 11; Arthur J. Ryan, Ward 11; John A. Connolly, Jr., Ward 13; George T. Jameson, Ward 13; William H. Campbell, Ward 14; Andrew J. Crotty, Jr., Ward 14; Edward Burton Rideout, Ward 15; Isaac S. Wingersky, Ward 14; John Carroll, Ward 17; Albert L. Cordingley, Ward 17; William F. Riley, Ward 17; Walter C. F. Gartner, Ward 20; William Mann, Ward 20; Percy Duggan, Ward 21; John W. Hoben, Ward 21; Patrick J. McGuire, Ward 22.

Twenty-six traverse jurors, Superior Civil Court, Sixth Session, to appear March 7, 1927:

John W. Crosby, Ward 1; Lawrence F. O'Connor, Ward 1; William J. Collins, Ward 2; James P. Collins, Ward 2; Thomas Gaffey, Ward 3; Michael J. Keenan, Ward 3; Arthur E. Simonson, Ward 3; Henry A. Rogers, Ward 4; John L. Nichols, Ward 5; John J. Dahill, Ward 6; Edward L. Harrigan, Ward 7; Daniel R. Murphy, Ward 7; William F. Murphy, Ward 7; Frank L. Orfanello, Ward 7; Daniel F. Ryan, Ward 7; Neil H. Faulkner, Ward 8; Arthur A. Jones, Ward 9; John J. McGowan, Ward 10; Stewart P. Burke, Ward 15; Max Karp, Ward 15; Mansfield Austin, Ward 16; John E. McCauley, Ward 18; Emil E. Diettrich, Ward 20; Martin M. Ivory, Ward 21; Hugh Roeder, Ward 22; Roland J. Sylvia, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Seventh Session, to appear March 7, 1927:

John J. Lynch, Ward 1; Edward F. Morgan, Ward 1; John C. Doherty, Ward 2; Henry P. Murphy, Ward 2; Edward F. Gamwell, Ward 3; Louis Saekmary, Ward 3; Emerson A. Benson, Ward 5; John F. Corcoran, Ward 7; Ernest F. Edwards, Ward 7; Patrick J. Halloran, Ward 8; Edward Keating, Ward 8; Patrick A. Colleran, Ward 10; James W. Harron, Ward 11; Edward E. Stockbridge, Ward 12; Julius Wolfson, Ward 12; James W. Burke, Ward 13; Patrick J. Fallon, Ward 13; Walter O. Johansen, Ward 13; Benjamin Cooper, Ward 14; John J. Bagley, Jr., Ward 15; Peter J. Johnson, Ward 16; Edwin E. Wallace, Ward 17; R. Coolidge Lewis, Ward 19; William J. Barry, Ward 19; Erwin W. Thielsch, Ward 19; Henry J. Shaw, Ward 20; Irving T. Howard, Ward 21; Hubert A. Dennison, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Eighth Session, to appear March 7, 1927:

Frank A. Gorman, Ward 1; Albert F. Henneberry, Ward 1; James W. Sharkey, Ward 1; William A. Dietz, Ward 4; Edward H. Crosby, Ward 5; Thomas Garner, Ward 5; John J. Flaherty, Ward 6; James H. Furlong, Ward 6; John J. Cloney, Ward 8; Thomas A. MacNeil, Ward 8; Michael F. O'Hara, Ward 10; Joseph C. Schreiber, Ward 11; Allan E. Mitchell, Ward 13; James H. Murray, Ward 13; David O. Hallstrom, Jr., Ward 14; Arthur W. Pushec, Ward 14; Robert B. Whitney, Ward 14; Albert S. Wingersky, Ward 14; Michael J. Daly, Ward 15; James I. McDonough, Ward 17; Emile Bernat, Ward 19; Harvey W. Denton, Ward 19; Daniel J. Hurley, Ward 19; Francis B. Dempsey, Ward 20; Henry J. Muller, Ward 20; Henry A. Schmidt, Ward 20; Louis Sehnicker, Ward 20; James T. Manson, Ward 21; Edward Thompson, Ward 21.

#### APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council the following appointments were received from the Mayor for the term ending April 30, 1927, viz.:

Constables: Joseph S. Halbert, 8 Waumbuck street, Ward 12; Albert Olem, 22 Wilmore street, Ward 14; Lewis E. Weinberg, 480 Harvard street, Ward 14; Jefferson H. Parker, 1 Davis street, Ward 3; Joseph Weiner, 35 Havelock street, Ward 14.

Weighers of Coal: Thomas W. Berridge, 25 Pearl street, Winthrop, Mass., the Brotherhood Coal Company; Walter F. Mager, 331 Talbot avenue, Batchelder Brothers, Inc.

Severally laid over a week under the law.

#### TRANSFER OF POWERS OF TRUSTEES OF BOSTON SANATORIUM.

The following was received:

City of Boston,

Office of the Mayor, February 7, 1927.

To the City Council.

Gentlemen,—I transmit herewith and recommend for passage by your honorable body an

amendment to the ordinance providing for the transfer of certain of the powers and duties of the trustees of the Boston Sanatorium to the Health Commissioner and the control and management of the Boston Sanatorium at Mattapan to the trustees of the Boston City Hospital.

This amendment follows the recommendation of Dr. Haven Emerson, professor of public health at Columbia University, who was designated by the City of Boston to study the needs of tuberculosis hospitalization and make a report thereon.

This ordinance is in substitution of the ordinance recommended by me on January 31, 1927, which is hereby withdrawn.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

#### An Ordinance Relating to the Boston Sanatorium Department.

Be it ordained by the City Council of Boston, as follows:

Section 1. The powers and duties of the trustees of the Boston Sanatorium Department exercised and performed in connection with the buildings and work carried on in the Mattapan district are hereby transferred to the trustees of the Hospital Department who, in addition to their other powers and duties, shall hereafter exercise said powers and perform said duties.

Sect. 2. All other powers and duties of the trustees of the Boston Sanatorium Department and more especially those powers and duties in connection with the Out-Patient Division are hereby transferred to the Health Commissioner who, in addition to his other powers and duties, shall hereafter exercise and perform said powers and duties.

Sect. 3. The offices of the trustees of the Boston Sanatorium Department are hereby abolished.

Referred to the Committee on Ordinances.

#### BRANCH LIBRARY, HARVARD COLLEGE.

The following was received:

City of Boston,

Office of the Mayor, February 7, 1927.

To the City Council.

Gentlemen,—I transmit herewith communications from both the Law Department and the Library Department in reply to your orders of January 24, 1927, relative to agreement of trustees of the Public Library in transferring property of the City of Boston to Harvard College.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Library Department, February 4, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Sir,—Referring to the order of the City Council of January 24, 1927, forwarded to us by your Honor, we herewith inclose a copy of the agreement between the trustees and Harvard University.

Replying to the request that the trustees report their reasons for the same—the books and other material which it is proposed to deposit in the library building of the Graduate School of Business Administration in Brighton consist largely of public documents, reports of railroad, public service and other corporations, and similar statistical material which is not in current use, and is of no value except to the research worker in this field. The material is incomplete in many respects and relates mainly to a period prior to 1902, at which time the active collection of such material by the public library ceased. It is not proposed to transfer books which are in current use or which are called for with any frequency for reference. The agreement provides that title to the transferred material remains in the public library.

The similar material in the Harvard business school library commences in the main at about the period where ours leaves off and is in constant process of active collection under expert advice. It will in ordinary course be kept up to date as a great business library. The public library could not keep current the collection of such material



on a large scale without a much greater expenditure than has been made for the purpose in the past.

As the books and pamphlets to be transferred are not used or useful except for the purposes of investigation in this field, and as this work is usually a matter of hours or days, the few minutes longer which it may take to reach the library at Brighton is of minor consequence compared to the right of access (which without this agreement could not be had) to a collection there which not only covers a longer period, but is also superior in every respect to the collection now in the central library building. Any hook or class of books transferred may be recalled permanently to our selves, or may be recalled temporarily to the central library on notice that they are wanted for examination there.

The Graduate School of Business Administration has been willing to constitute its library building with all its contents, free of any charge, a branch of the Boston Public Library subject to certain conditions which are no restraint as a practical matter against the freedom of its use by every citizen. While reference is made to this arrangement as an "agreement," the fact is that its clauses merely safeguard each party against unforeseen conditions. It is actually no more than a deposit of books, to which we retain title, and although on a larger scale, it is in principle similar to arrangements which we have in effect in other instances.

Another advantage to the public library, although not the controlling one, is that we remove from our shelves in the central building some twenty-five thousand items which are very rarely used, and make room which is greatly needed for other purposes. The number of volumes in the central building has nearly doubled since it was built, and now stands at a million volumes notwithstanding the fact that out of a total direct home circulation for the whole library system of 3,500,000 volumes last year only 340,000 of this or less than 10 per cent was from the central building.

Although the central building is and will be used largely for reference works and special collections, the normal growth of these will soon require an addition to the building, with a corresponding increase in operating expense, unless the trustees sooner or later store infrequently used material elsewhere subject to withdrawal as required, or place some of it in appropriate depositories as occasion may arise, where it will be cared for and open to public use. The latter course seems preferable. There may be other opportunities to establish branches in special lines, such as this agreement contemplates, without cost to the library, and if other institutions are as generous as Harvard has been in this case we shall be glad to consider them seriously.

Having thus stated our reasons, we may have answered the question as to our legal authority. If the matters we have discussed pertain to library management, they were in 1878 placed in charge of the trustees of the Public Library of the City of Boston, a corporation organized under a special act of the general court, and there they apparently still remain. The city charter, which in 1909 enlarged the powers of the Mayor, contain a provision that nothing in the charter shall authorize the taking away of any of the powers or duties of the Library Department as established by law. The City Council by the act incorporated the trustees was authorized to pass ordinances not inconsistent with the act. The only ordinance in point (1914) reads:

"The library department shall be in charge of a board of five trustees who shall adopt such measures as shall extend the benefits of the institution as widely as possible, and may from time to time establish branch libraries and delivery stations in different sections of the city."

This the trustees have done from time to time by locating thirty-one branches and more than 300 deposits.

The authority of the trustees in library management has never been questioned except in the matter of salaries paid to employees. This subject has come up at times, and as our files contain the opinions of eminent lawyers hearing on the duties of the trustees and the present status of the act incorporating the trustees in 1878, we are referring them to the Corporation Counsel for his consideration. As he has also been asked by the

Council for his opinion as to the validity of this arrangement with Harvard University under the so-called Anti Aid amendment to the constitution, we beg leave to call to his attention that this amendment prohibits the appropriation of public money or the use of public property for the purpose of founding, maintaining or aiding certain institutions (including colleges) not under public control. We suppose the purpose to be examined is that of the trustees. We did not make this arrangement for the purpose of aiding Harvard University, or its Graduate School of Business Administration. We made it for the purpose of aiding the public library and the citizens of Boston, and any benefit which the college receives is small compared to the consideration which it gives.

We now have more than three hundred depositories of books including schools, engine houses, hospitals and many institutions. On this list are 212 schools, of which 17 are parochial schools. There are hospitals, Jewish Welfare Centers, and many other institutions not under public control. Some of them are apparently within the prohibition of the amendment if the deposit of books is to be considered an aid to such institutions. The trustees do not so regard it. On the contrary, it seems to the trustees that such intelligent help as any responsible institution will give in the circulation and use of our books, and in the encouragement of better reading, constitutes a service on the part of such institution rather than an aid to it. We do not concern ourselves with the other functions of any institution willing to take proper care of our books, and place them in the hands of the public. While these deposits are not large in volume, the question raised by the City Council—unless the trustees have construed the amendment correctly—not only affects such deposits but other plans which the trustees have in mind. The use of the library and its branches in connection with adult education is perhaps the most promising field for extending the value of the library without much expenditure of public money. It would be impractical to enter on this without the co-operation and assistance of institutions not under public control which are engaged now in this work, and of others willing to share in it.

We call these considerations, through your Honor, to the attention of the members of the City Council in the hope that they will approve the general policy of the trustees—which is "to extend the benefits of the institution as widely as possible" rather than to regard the library merely as a place in which books are kept until called for, or kept whether called for or not.

Very respectfully,

THE TRUSTEES OF THE PUBLIC LIBRARY  
OF THE CITY OF BOSTON,  
by GUY W. CURRIER, President.

Agreement by and between the Trustees of the Boston Public Library and the President and Fellows of Harvard College.

Whereas, in order that the material of the Boston Public Library relating to business and business education and business administration and the material of the Harvard Business Library may be made available in such a way as to render the greatest practicable service to the community and to the cause of business education and research at a minimum cost, it is hereby agreed as follows:

1. The Trustees of the Boston Public Library shall constitute the Harvard Business Library, located in that part of Boston known as Brighton, a depository for books and other material as hereinafter provided, the Harvard Business Library becoming to this extent a branch of the Boston Public Library. The books and other material so deposited shall be combined with similar material of the Harvard Business Library and the two catalogued jointly.

2. The Harvard Business Library shall furnish the physical facilities and equipment as rapidly as possible to take over such books and material as shall be agreed upon, thus relieving the Boston Public Library of considerable expense for operation and releasing space in the Boston Public Library for other uses.

3. The Harvard Business Library will, as rapidly as its resources permit, prosecute the work of introducing the books and material into its shelves and cataloguing them. Such sum or sums as the Trustees of the Boston Public Library may at any time, and from time to time before completion



of this work, contribute to its prosecution, the Harvard Business School will devote to the purpose, and by so much will the work be expedited and the full use of the collection become available earlier.

4. The Boston Public Library will furnish the Harvard Business Library with a copy of the essential information in its existing catalogue relating to the transferred material.

5. The books and other material transferred to the library of the Harvard School of Business Administration by the Boston Public Library, with the other material belonging to the Business Library and any additions however made, shall be available for use by such persons as would be entitled to use the same if contained in the Central Building of the Boston Public Library, subject to any restrictions made in an instrument of gift of any such books or material and to reasonable restrictions to the use of particular items of books or material which may be made by the authorities of the Harvard Business School Library. It is understood that the library of the Harvard School of Business Administration will afford reasonable opportunity for such use in its library building, so far as such use is consistent with the ordinary and usual service for which the facilities of the library are adapted. In the discretion of its authorities, however, the library of the Harvard School of Business Administration may restrict such use of its library building to the extent of its facilities for service; in case of such restriction the Boston Public Library may provide for such use in its Central Building, and may call for such books and material as are required from time to time by its card-holders for such use, in accordance with and subject to such reasonable regulations as may be from time to time agreed upon between the authorities of the two libraries.

6. Both libraries are to co-operate to as full an extent as is practicable in the inter-loan of books, to the end that the material of each shall be so used as to be of maximum benefit to the community.

7. The books and material intended to be covered by this agreement are those pertinent to the work of the Harvard Business Library which are not, in the opinion of the librarian of the Boston Public Library, needed for current use of the Boston Public Library. The librarian of the Boston Public Library may at any time recall from deposit specific material for which need has arisen.

8. All details as to the transferring of the books and material to the Harvard Business Library under this agreement shall be under the direction of the librarians of the two libraries. Books and material so transferred shall remain the property of the Boston Public Library. Lists of books and materials actually delivered shall be signed by the two librarians or someone authorized to sign on their behalf.

9. It is expected that the arrangement for which provision is made in this agreement will be permanent. It is, however, understood that if it appears to either party to be undesirable it may be terminated upon conditions to be subject of consideration at the time, but which, so far as possible, will work a minimum of damage to either party and which will leave both with as complete collections of books and material as is possible under the circumstances.

10. Each party shall bear the risk of loss by fire or other hazard or by theft; it being understood that the Harvard Business Library will give the same degree of care to the books and material of both parties.

11. The two institutions, that is to say, the Trustees of the Boston Public Library and the President and Fellows of Harvard College, stand ready to co-operate in the establishment, as a branch of the Boston Public Library, of a business reference library in the downtown section of Boston, to be established, operated and maintained by and in connection with the two libraries. The expense of such a reference library would have to be borne presumably by the business community, or at any rate by some person or persons other than the two libraries.

In Witness Whereof the parties hereto have caused their official seals and signatures to be affixed by their duly authorized officers this fifth day of January, 1927.

THE PRESIDENT AND FELLOWS OF HARVARD COLLEGE,

by A. LAWRENCE LOWELL, President.

Attest: CHARLES F. D. BELDEN.

THE BOARD OF TRUSTEES OF THE PUBLIC LIBRARY OF THE CITY OF BOSTON,

by GUY W. CURRIER, President.

City of Boston,

Law Department, February 4, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston:

Dear Sir,—The City Council has requested through your Honor my opinion concerning the legality and constitutionality of the contract made recently between the trustees of the Boston Public Library, hereinafter called the trustees, and the President and Fellows of Harvard College, hereinafter called the Harvard authorities, for the use of certain books pertaining to business education administration. The Council seeks to be advised whether the contract is, first, a legal one, and secondly, whether it is in violation of the so-called anti-aid or sectarian amendment of the Constitution of Massachusetts, section 2 of Article XLVI of the Amendments, which in substance prohibits the use or grant of public property or money for the benefit of any private institution.

I have made a very careful study of the agreement in question in order that I may properly answer the question submitted. In addition I have sought to learn the intention of the parties when the instrument was executed.

From an examination of the agreement it is clear to me that it was intended by the trustees of the library to establish a branch library, many of which are now in existence throughout the city. This conclusion the trustees of the library confirm.

The trustees have attempted from time to time to cater to the needs of the various sections of the city by the establishment of branch libraries. In the South End of the city branches have been established with books that appeal to the residents of this district. In the North End of the city a branch caters to a still different type of citizenry. Branches have been established in schools catering to the type of pupils who attend these schools. Recently the suggestion was entertained of instituting the cart library, by which library books may be brought to the neighborhood in carts. There has been a continuous agitation for a business men's branch library, that is a place where the business man may conveniently find those books that are of interest to him and which may help to administer and conduct his business more efficiently. All these matters are for the determination of the trustees, who by law are the authorities entrusted with the conduct and management of the Library Department of the city. See section 5 of chapter 114 of the Acts of 1878, as amended by section 1 of chapter 222 of the Acts of 1880, and by sections 1 and 2 of chapter 60 of the Acts of 1887, wherein the trustees are given general care and control of the Central Public Library and of all branches which have been and which may thereafter be established and are given full control of the expenditures of money appropriated therefor. See, also, section 5 of chapter 486 of the Acts of 1909 (Amended City Charter) preventing the city government from taking away any of the powers or duties of the Library Department as prescribed by law.

Under these provisions of law the trustees have complete discretion as to the management of the Library Department and full authority of the question of branch libraries, their power being subject only to the provisions of law requiring the trustees to submit a budget of their needs and estimates of expenditures for the fiscal year (section 3 of chapter 486 of the acts of 1909); subject also to the Mayor's approval of contracts involving the expenditure of money, and to such other provisions of law contained in the various charter provisions applicable to the administration and conduct of the various municipal departments.

By the agreement in question the trustees desired to establish a branch library where there might be centered the books of the city pertaining to business administration and education, and whereby the greatest possible use might be made of them to the end that the greatest good might be rendered that portion of the public interested in them. They were able to secure the co-operation of the Harvard authorities in establishing this type of branch library. The agreement entered into, from its contents, which I will analyze hereinafter, is nothing more than a memorandum of the understanding and intentions of the trustees and the Harvard authorities to avoid future misunderstanding and dispute.

Section 1 of the agreement states that the Harvard business library shall constitute a "depository for books and other material as hereinafter pro-

vided, the Harvard business library becoming to this extent a *branch of the Boston Public Library.*" Here is the intention of the parties stated with clarity and in unequivocal language. It is contained in the very outset of the agreement or memorandum. Everything that follows must be interpreted in the light of this declaration between the parties. There does not seem to be any ambiguity in section 1 as to just what the parties contemplated or desired.

Section 2 indicates a desire on the part of the trustees to avoid and not incur expense and to release space in the central library, and to this end the Harvard authorities in their desire to co-operate in this endeavor state that they will speedily furnish the equipment and facilities to help establish the branch.

By section 3 the trustees state that in the near future, if they so decide, they may make an appropriation to relieve the Harvard authorities of the entire onus of establishing the books in the branch and of cataloguing the same. The trustees state that they are willing that this work should be done in their behalf by the Harvard Library and further agree that the trustees will be encouraged to make a contribution towards the expense of the establishment of this branch library if, by so doing, the branch may be opened sooner.

Sections four to ten, inclusive, contain the understanding of the parties as to the method of conducting the branch. These sections state to what extent the Harvard authorities will co-operate and what it expects and requires from the trustees in return for the co-operation and assistance it intends to provide. For instance, in section 5 the trustees state, in substance, that although the branch is to be in the Harvard School of Administration Building, that all the books of the Boston Public Library, as well as those of the Harvard Library should be available to all such persons who, if they so desired, would be entitled to use the books of the Central Library. This same rule is applicable to all the branch libraries in this city. It is further made clear that the Harvard authorities may establish reasonable rules and regulations pertaining to the use of its building and its books. This provision is the same that pertains to all branch libraries of the city located in other public or private institutions. If a branch is contained in a public school, the School Committee is permitted to make reasonable rules and regulations pertaining to the use of the school buildings. If the branch is in a municipal building the Superintendent of Public Buildings may make reasonable rules and regulations as to the use of the municipal building. It is to be assumed that reference is made to the right to prevent tramps and loafers from using the library as a rendezvous; to prevent congestion; and generally to make the library most serviceable. So, too, may the length of time which particular books may be used be regulated by the Harvard Library authorities who are to manage and conduct the branch for the city. It is to be noted, however, that under no circumstances does the city relinquish title to the books and other material deposited in this branch. This is the same rule applicable to all branch libraries. The public are authorized and permitted to use this branch library just as they do other branches of the central library.

By section 7 the librarian of the Boston Library may recall any book or books he may need or desire.

By section 8 the trustees make it very clear that they may abandon this branch and end the arrangement at any time they so desire.

Everything in this so-called agreement indicates the intention of the trustees to establish a branch library for such persons interested in business books at a place where through the kindly offices of the Harvard authorities there may be collected under one roof the greatest collection of business books possible, and whereby they may be made available to the public of Boston interested in them.

The parties in section 13 also state that they believe another branch of similar nature ought to be established in the downtown section of Boston, with the trustees and the Harvard authorities again co-operating. The present relationship, as evidenced by this so-called agreement, provides for no immediate expenditure of money by the library trustees.

I must, therefore, advise you that I can find no legal objection to this agreement or memorandum. The entire arrangement need not have been put

in writing at all. It could have been executed by the parties without any written agreement whatsoever. The library trustees, under their discretionary authority to conduct the Central Library and such branches as it may create, have full authority to establish this branch at Brighton and to accept the kind offer of co-operation by the Harvard authorities. It is a part of the management of the Library Department of the City of Boston. See chapter 20 of the Revised Ordinances of 1925 for a declaration of this statutory authority in the library trustees and the requirement by the city government that the benefits of the library institution shall be extended as widely as possible.

Of course, if the library trustees found it necessary to expend a sum of money amounting to \$1,000 or more, then the Mayor's approval is necessary to such contract and the charter provisions must be complied with and the contract entered into not by the trustees but by the City of Boston, acting by and through the trustees of the library, exactly as would be necessary in the case of any other city department. If, however, the expenditures were to be paid out of the various private funds which the trustees hold by virtue of bequests and devises made to them as incorporated trustees, then the Mayor's approval is not necessary nor need such a contract be made as meets the requirements of the various charter provisions. See chapter 114 of the Acts of 1878, creating the library trustees a corporation for the purpose of receiving and holding real and personal estate in trust for the benefit of the library, as provided in the various bequests and devises made to them as incorporated trustees.

I must advise you also that in my opinion the so-called memorandum is not in violation of the anti-aid amendment. This amendment (Article XLVI, section 2) in substance prohibits the grant of public funds and the use of public property for the benefit of private institutions. It was created to prevent the appropriation of public money by the Commonwealth, its cities and towns, for the special benefit of aiding and assisting religious and educational institutions, most of which were sectarian and denominational. I cannot see how the arrangement discussed hereinbefore between the library trustees and the Harvard authorities can be said to violate this amendment. The city, through its trustees, is not making a grant of money to the Harvard Library for its use, nor is it permitting the use of its property for the special benefit of the Harvard Library. The city is establishing a branch library for the benefit of the people of Boston. It is a particular type of branch library. By its co-operation the Harvard Library makes the city's branch a bigger and better institution. The city and its citizens are the gainers by the arrangement whereby the Harvard Library permits the use of its facilities and equipment by the people of Boston. If this amendment is to be construed as prohibiting such cooperation, then the library trustees must abandon all its branch libraries in neighborhood houses, settlement houses, various club houses, in community centers, and in the various other private institutions and organizations whereby their co-operative efforts and the use of their buildings and facilities may help the library to come closer to the people and afford a greater opportunity for the education of the masses. The incidental advantage and service, if any, which the branch library affords to the settlement house, the community center, the local charitable organization, the local religious society and many other organizations can hardly require the construction that it is proposed shall be made of the amendment so as to prohibit their co-operation with the Library Department of the city. That the amendment should not be so construed may be readily ascertained by an examination of the record, journals and debates of the Constitutional Convention, which framed the amendment for submission to the people. See Volume I, Debates of the Constitutional Convention, 1917-1918.

I, therefore, advise the Honorable Council that the so-called agreement between the library trustees and the Harvard authorities in my opinion is not illegal nor can it be said to be in violation of the provisions of the anti-aid amendment to the Constitution of Massachusetts.

Very truly yours,

FRANK S. DELAND,  
Corporation Counsel.



Ordered printed and referred to the Committee on Branch Libraries, on motion of Coun. FITZGERALD.

#### PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

##### Claims.

Robert T. Ambrose, for compensation for damage to automobile caused by an alleged defect in Centre street, West Roxbury.

W. H. Brackett, for compensation for damage to automobile by sanitary car.

I. I. Chamberlin, for compensation for taxes paid under protest.

M. Fitzpatrick, for compensation for damage to automobile by car of Fire Department.

Jesse Goode Real Estate Trust, Inc., for compensation for damage to property at 43 Humboldt avenue, by defective hydrant.

Edward A. Grant, for compensation for damage to property at 562 East Fifth street, caused by employees of Park Department.

John Brothers, for refund on refuse tickets.

Lewis D. Jones, for compensation for ash barrel destroyed by ashmen.

John J. Keegan, for compensation for injuries caused by an alleged defect at 95 Neponset avenue, Dorchester.

Mariano Laconte, for compensation for injuries caused by being struck by police wagon.

Richard F. Lombard, for compensation for damage to automobile caused by an alleged defect at 48 Warren avenue, Charlestown.

Bernard McGillivray, for compensation for damage to automobile caused by an alleged defect in Southampton street.

Mrs. Thomas McLay, for compensation for injuries caused by an alleged defect at Washington and Summer streets.

Richard L. Melvin, for compensation for damage to property at 45 Humboldt avenue, caused by defective hydrant.

Helen O'Brien, for compensation for injuries caused by an alleged defect at 717 East Fifth street.

Mary C. Quimby, for compensation for damage to property at 14 Barnes street, caused by backing up of sewage.

Mary Reardon, for compensation for injuries caused by an alleged defect at 3528 Washington street.

L. M. Roginska, for compensation for damage to ash barrel by ashmen.

Charles L. Rohde, for compensation for damage to automobile caused by an alleged defect at 300 La Grange street.

Harry A. Russell, for compensation for loss of articles at City Hospital.

C. B. Strout, for compensation for damage to automobile caused by an alleged defect in South Huntington avenue.

Raymond F. Sweeney, for compensation for expenses incurred after treatment at City Hospital.

Vassara Fruit Company, for compensation for damage to property at 56 Commercial street, caused by defective catch-basin.

Joseph I. Wbale, for compensation for damage to automobile by falling tree.

##### Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Mabel West, St. Cuthbert's Chapel, February 9.

Lester P. Gould, Mt. Bowdoin Hall, February 26.

#### APPROVAL OF CONSTABLE'S BOND.

The constable's bond of William P. Miles having been duly approved by the City Treasurer, was received and approved.

#### APPOINTMENT OF SANITARY INSPECTOR.

Notice was received from the Health Department of appointment of Bernard A. Flaherty as a sanitary inspector of the department.

Placed on file.

#### MEMBER OF LISTING BOARD.

Notice was received from the Mayor of designation of Patrick H. O'Connor, a member of the Board of Election Commissioners, to serve as member of Listing Board for year ending January 31, 1928.

Placed on file.

#### STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings on petitions for storage and sale of gasoline to be heard Monday, February 21:

Benjamin Levine, 114 and 116 North Beacon street, Ward 21, 1,000 gallons.

Public Works Department, 636 Albany street, Ward 8, 1,000 gallons.

Referred to the Executive Committee.

#### REPORT OF FINANCE COMMISSION ON PROPOSED LONG ISLAND LOAN.

The following was received:

Boston, February 5, 1927.

To the Honorable the City Council.

Gentlemen,—On January 31, 1927, the Mayor transmitted to your honorable body a loan order for \$1,000,000, for the purpose of providing new buildings and additions to buildings at the institutions on Long Island, which consist of the almshouse and the chronic hospital. From a communication of the Institutions Commissioner to the Mayor, it appears that it is proposed to use the proceeds of the loan to construct additional men's dormitories, additional wings to the men's hospital, and additions to the children's buildings, the nurses' home and the power, heating and lighting plant.

If the loan is authorized and the expenditures are made, a further step will be taken to commit the city to the policy of caring for all its chronic cases at Long Island, where the almshouse and hospital are both located.

A study of the chronic hospital situation in Boston was made by the Finance Commission at the request of his Honor at the beginning of last year and a report thereon was made, dated April 3, 1926, a copy of which is annexed hereto. As a result of this study the commission found that the proposed hospital building to be erected on Parker Hill in Roxbury, for a part of which a contract had been let, would be expensive both to build and to operate, and that the top of Parker Hill offered a poor site.

On the other hand, the commission found that there existed a need for a chronic hospital on the mainland. It found that there were many chronic cases cared for in acute hospitals and in undesirable homes, and that for many of these patients Long Island was not the proper place. It found a strong sentiment in favor of the establishment of a chronic hospital on the mainland under the management of the City Hospital trustees, and independent of the Long Island institutions. It found that this opinion was well justified.

Several sites for such a hospital on the mainland were considered. The use of the hospital buildings of the West Department at West Roxbury was suggested. The commission found that these buildings would soon be vacated by the Veterans' Hospital. It made an examination of them and found they were well adapted to form a nucleus of a chronic hospital on the mainland and under the direction of the City Hospital trustees. The Institutions Department has attempted to discredit these buildings, but the report of Dr. Frederic A. Washburn, Superintendent of the Massachusetts General Hospital, annexed to the chronic hospital report of the commission, shows that they are well adapted for the beginnings of such a hospital.

This hospital property at West Roxbury, even on the basis of the assessed value, is worth over half a million dollars. When the Veterans' Hospital moves out the buildings will be valueless unless some use is made of them.



In concluding its report the commission advised the Mayor to abandon the Parker Hill site and to continue to maintain the almshouse and hospital at Long Island, but it further recommended "That the city plan for the development of a chronic hospital at the West Department in West Roxbury."

The Finance Commission now recommends that the loan for \$1,000,000 for improvements at Long Island be rejected.

Respectfully submitted,  
THE FINANCE COMMISSION,  
by CHARLES L. CARR,  
Chairman.

Referred to the Committee on Finance.

#### APPROPRIATION FOR CLERICAL ASSISTANCE, MUNICIPAL COURT.

Coun. FITZGERALD, for the Committee on County Accounts, to which was referred December 13, 1926, communication from chief justice of the Municipal Court of the City of Boston relating to expenditures of the Municipal Court for Civil Business, submitted a report recommending passage of the accompanying order, viz.:

Ordered, That the sum of twenty-five thousand dollars per annum be and hereby is allowed for clerical assistance in the office of the clerk of the Municipal Court for Civil Business, until otherwise ordered.

Report accepted; order passed.

#### REPORT OF COMMITTEE ON CLAIMS.

Coun. PARKMAN, for the Committee on Claims, submitted the following report:

#### REPORT OF THE COMMITTEE ON CLAIMS FOR THE YEAR 1926.

In City Council, February 7, 1927.

The Committee on Claims respectfully submits the following report showing the disposition of claims during the municipal year 1926. The committee accepted the recommendation of the Law Department in all cases but eight. Of these eight cases the committee rejected two claims in the total amount of \$325, and reduced the amount awarded in the six other cases by the amount of \$175. The committee has attempted a classification of the nature of the claims against the city which it appends to the report, showing the percentages both by number of the claims and amount. It will be observed that by far the largest percentage, both in numbers and amount, are claims for damage caused by defective highways. Refunds account for 28 per cent of the number of claims but for only 8.4 per cent of the amount. The next in order of amount are claims for water damage, 12.6 per cent; collision with fire apparatus, 7.7 per cent; collision with city automobiles, 5.3 per cent; sewer damage, 4 per cent; ferry service, 3.3 per cent; miscellaneous claims account for 13.7 per cent of the amount.

In the eleven months year of 1925, the Law Department acted on 811 claims, of which 335 were approved, or about 41 per cent. In the twelve months year of 1926, the Law Department acted on 745 claims, of which 264 were approved, or about 35 per cent. The total amount of claims pending and received in 1925 was 1,523; in 1926, 1,727, of which 979 were pending January 1, 1927. From these figures it would appear that the Law Department is spending more time on investigation of the claims with the consequent reduction in percentage of claims approved.

For the Committee,  
HENRY PARKMAN, JR.,  
Chairman.

Action on Claims, Yearly Report from January 1, 1926, to December 31, 1926.

|                                                        |             |
|--------------------------------------------------------|-------------|
| Claims pending January 1, 1926.....                    | 712         |
| Claims received during year 1926....                   | 1,015       |
| Total.....                                             | 1,727       |
| Claims approved during year 1926..                     | 264         |
| Claims disapproved during year 1926,                   | 454         |
| Claims pending January 1, 1927....                     | 979         |
| Amount of claims approved for municipal year 1926..... | \$25,658 25 |

Amount of claims disapproved for municipal year 1926..... \$105,053 89

#### Classification of Claims According to Their Nature.

|                                       | Number.<br>(Per Cent.) | Amount.<br>(Per Cent.) |
|---------------------------------------|------------------------|------------------------|
| Defective highways.....               | 26.6                   | 45.                    |
| Water damage.....                     | 10.                    | 12.6                   |
| Refunds.....                          | 28.                    | 8.4                    |
| Collisions with fire apparatus.....   | 3.2                    | 7.7                    |
| Collisions with city automobiles..... | 4.5                    | 5.3                    |
| Sewer damage.....                     | 3.6                    | 4.                     |
| Ferry service.....                    | 4.3                    | 3.3                    |
| Miscellaneous.....                    | 9.6                    | 13.7                   |

Report accepted and order printed as a city document.

#### CONFIRMATION OF APPOINTMENTS.

President HEFFERNAN, under unfinished business, called up Nos. 1 and 2 on the calendar, viz.:

1. Action on appointments submitted by the Mayor January 31, 1927:

Theodore R. Bernson and William J. Reid to be constables.

William T. O'Mara and Francis W. Darling to be weighers of coal.

The question came on confirmation. Committee, Coun. Donovan and Keene. Whole number of ballots 19, yeas 19, nays 0, and the appointments were confirmed.

President HEFFERNAN called up, under unfinished business, No. 2 on the calendar, viz.:

2. Whereas, By a Resolve and Order of the Board of Street Commissioners of the City of Boston, passed March 26, 1925, an easement was taken to widen Tremont street in the City of Boston; and

Whereas, Certain premises within the limits of said taking belonged to Ira W. Shapira, as trustee of the Whitehall Realty Trust; and

Whereas, The said Ira W. Shapira, trustee of the Whitehall Realty Trust, executed to the City of Boston for street purposes a deed of the said premises which belonged to him as trustee of the Whitehall Realty Trust, which were within the limits of said taking, and in addition thereto a portion of Warrenton place, so called, and rights therein which were not within the limits of said taking; said deed is dated June 26, 1925, and recorded with Suffolk Deeds, Lib. 4711, page 161; and

Whereas, The purposes of said deed from said Ira W. Shapira, trustee as aforesaid, to the City of Boston was to convey to said City of Boston for street purposes the premises which belonged to the said Ira W. Shapira, trustee as aforesaid, which were within the limits of said taking;

Now, Therefore, it is Ordered, That the Mayor of said City of Boston be and he hereby is authorized in the name and behalf of said City of Boston to affix the corporate seal of said city and to sign and deliver in form satisfactory to the Law Department of said City of Boston a disclaimer of all title to any and all premises which it acquired by virtue of said deed to any land or property which were not within the limits of said taking or within the limits of the second taking made by a Resolve and Order of the said Board of Street Commissioners, passed June 22, 1925, except the right to slope and bank the filling of said Tremont street to the grade established by said Resolves and Orders, upon the remaining land of said Ira W. Shapira, which was adjacent to the land taken by said Resolves and Orders.

On January 24, 1927, the foregoing order was read once and passed, yeas 17, nays 3.

The order was given its second and final reading and passage, yeas 18, nays (Coun. Donovan, Heffernan), 2.

#### MUNICIPAL BUILDING, WARD 14.

Coun. RUBY offered the following:

Ordered, That the sum of five hundred thousand dollars be appropriated, to be expended by the Superintendent of Public Buildings for a municipal building in Ward 14, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, bonds or certificates of indebtedness to the said amount.

Referred to the Committee on Finance.

#### APPROVAL OF ACTION OF LIBRARY TRUSTEES.

Coun. WARD offered the following:

Whereas, The report of the trustees of the Boston Public Library, as published in the press this day, discloses the fact that through a liberal, constructive and courageous policy of expansion they are rendering a service to the public unequalled anywhere in the world, be it and it is hereby

Resolved, That the Boston City Council in session assembled approve and commend the policies now in operation and hereby publicly express appreciation for service rendered by the said trustees of the Boston Public Library.

Referred to the Executive Committee.

Coun. DOWLING—Mr. President, I think I am in sympathy with the sentiment expressed in the resolutions, but I would suggest that if he laid on the table for one week pending a report on the same matter. I so move.

President HEFFERNAN—The Chair would state that the matter has been referred to the Executive Committee, and that the councilor can make that motion when it is reported back.

#### WORK FOR UNEMPLOYED.

Coun. McGRATH offered the following:

That his Honor the Mayor be requested to determine as soon as possible if there is not some large constructive work contemplated by the City of Boston in the spring of this year and which can be started forthwith, in order to take care of the hundreds of unemployed in this city who are willing and anxious to work at any honest labor that will return them a fair weekly wage.

Coun. McGRATH—Mr. President, I introduce this order because of the number of people who have visited my home and have visited the homes of Coun. Green and other members over Saturday and Sunday, men honestly deserving of work, who really want to work; men who are able to do good work. It does seem to me, as this part of the winter is open and there is some construction work contemplated for the spring, that such work could be well started now to take care of these men who are so deserving and so anxious to work at this time.

The order was passed under suspension of the rule.

#### IMPROVEMENT OF RADIO RECEPTION.

Coun. FITZGERALD submitted the following:

City of Boston.  
In the Year Nineteen Hundred and Twenty-seven.

An Ordinance to Eliminate Man-Made Static and Improve Radio Reception.

Be it ordained by the City Council of Boston, as follows:

1. It shall be unlawful to operate in the City of Boston any apparatus generating or causing high frequency oscillations which interfere with radio broadcast transmission or receiving apparatus, without a permit.

2. Those desiring to operate such machines must apply to wire inspector for permit, and pay fifty cents for permit.

3. Plans and specifications shall be submitted for his approval showing approved devices installed or to be installed for the purpose of suppressing said oscillations which interfere with reception as described in section 1.

4. The wire inspector is authorized to inspect apparatus in premises at any time and suggest or demand any changes which he thinks necessary. Permits are revocable for cause.

5. For failure to comply with this ordinance a fine of \$100, or three months imprisonment, may be enforced.

6. This regulation shall not apply to any stations or licenses issued by the United States Government.

Referred to the Committee on Ordinances.

#### MUNICIPAL BUILDING, WARD 11.

Coun. ENGLERT offered the following:

Ordered, That the sum of five hundred thousand dollars be appropriated, to be expended by the Superintendent of Public Buildings for a municipal building in Ward 11, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, bonds or certificates of indebtedness to the said amount.

Referred to Committee on Finance.

#### BRANCH LIBRARY AT HEATH SQUARE.

Coun. FREELEY offered the following:

Ordered, That the trustees of the Boston Public Library be requested, through his Honor the Mayor, to locate and maintain a branch library and reading room at Heath square, corner of Parker and Heath streets, Roxbury, for the convenience of the pupils of the Jefferson and Lowell Schools located in that neighborhood, and for the use of the adult residents of the locality.

Passed under suspension of the rule.

#### RELOCATION OF GREEN STREET.

Coun. GUILD offered the following:

Ordered, That the Street Laying-Out Department, through his Honor the Mayor, be requested to relocate the southerly side line of Green street in Ward 19 at and near its intersection with the easterly side line of Centre street in said ward, by taking a parcel of land substantially as described below, and including it within the limits of said Green street:

Beginning at the intersection of the present southerly side line of Green street with the easterly side line of Centre street; thence easterly by said present southerly side line of Green street twenty (20) feet; thence westerly and southerly by a curved line following the arc of a circle of a radius of one hundred (100) feet centered south of Green street to the present easterly side line of Centre street; thence by said easterly side line of Centre street ten (10) feet to the point of beginning.

Coun. GUILD—Mr. President, my object in introducing this order at the present time is because there is a bad corner there where the two streets have made an angle of approximately 60 degrees. A recent fire has destroyed the building that made the blind corner, and it will now be possible to make a small taking of land at comparatively little expense, which cannot be done if a five-story brick building, or something of the sort, is erected on the corner within the next year or two.

The order was passed under suspension of the rule.

#### NEW POST OFFICE BUILDING.

Coun. GUILD offered the following:

Resolved, That the Boston City Council is in favor of legislation by the Congress of the United States appropriating money for the erection of a new building in Boston for a general post office to replace the building now used for that purpose, to cost seven million dollars more or less; and he it further

Resolved, That the City Clerk transmit to each United States Senator from Massachusetts and to each Representative in Congress from Boston a copy of this resolve.

Coun. GUILD—Mr. President, although I have been in the past foremost in opposing on the floor of the Council memorials to the Congress of the United States, to the Legislature of Massachusetts and other bodies, the matter which I have now

hrought forward seems to me to be one in which the City of Boston is so peculiarly interested that it is proper that the City Council of Boston should go on record as expressing the opinion of the body to our representatives in Congress. I am informed that the appropriation bill covering this item is now pending before the appropriate committee in Congress, and it would seem that perhaps a little spur from the City Council of the City of Boston would lend courage which might be lacking in Congressmen representing Boston and Suffolk County, so that they would hold out as strongly as possible for the new postoffice for Boston to which we are entitled. I move a suspension of the rule and the passage of the resolution.

Coun. McGRATH—Mr. President, I want to go on record as opposing this resolution, in order to be consistent. We have opposed practically every resolution that has come in this year to memorialize Congress or the Legislature in regard to matters before those bodies; and I should certainly feel very loath to take action which might be considered an insult to Congressmen Tinkham, Douglass and Gallivan, by urging them to go before any committee of Congress to get a new post office for Boston. I feel that those men require no urging to do their duty, and that if the members of this Council will function as well as our Congressmen from Boston function, and will take care of their work in connection with this city as well as our Congressmen are taking care of their work in Congress, we will find that we have ourselves plenty to do without memorializing our Congressmen with respect to matters that are pending in Washington.

Coun. GILBODY—Mr. President, I am not going to make any extended remarks on the resolution now before the body, but consistency is a jewel, and I am going to ask that the resolution be referred to the Executive Committee.

Coun. GREEN—Mr. President, I second the motion.

The motion to suspend the rule was lost by a rising vote, 1 to 12, and the resolution was referred to the Executive Committee.

#### SIDEWALK ON CLIFFORD STREET.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Clifford street, north side, from Warren street to 16 Clifford street, Ward 12, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### SIDEWALK ON WARREN STREET.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Warren street, east side, Waverly street to Clifford street, Ward 12, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### SIDEWALK ON BEECH STREET.

Coun. WRAGG offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Beech street, both sides, between Washington and Poplar streets, Ward 18, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### ANNUITY TO WIDOW OF JAMES J. MORAN.

Coun. DONOVAN offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation authorizing the city to pay an annuity to the widow of James J. Moran, late member of the Boston Police Department.

Passed under suspension of the rule.

#### BRANCH LIBRARY AT DAY SQUARE.

Coun. DONOVAN offered the following:

Ordered, That the trustees of the Boston Public Library be requested, through his Honor the Mayor, to locate and maintain a branch library and reading room at Day square, East Boston, Ward 1.

Passed under suspension of the rule.

#### MUNICIPAL BUILDING, CHARLESTOWN.

Coun. GREEN offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation authorizing the City of Boston to borrow money for the purchase of a site and the erection of a municipal building in the Charlestown district.

Passed under suspension of the rule.

#### IMPROVEMENT OF CHARLESTOWN PLAYGROUND.

Coun. GREEN offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation authorizing the City of Boston to borrow money for the improvement of the playground situated at Medford and Chelsea streets in the Charlestown district.

Passed under suspension of the rule.

#### COST OF CONSTRUCTING GYMNASIUM.

Coun. MAHONEY offered the following:

Ordered, That the Park Commissioners be requested through his Honor the Mayor to furnish the City Council with an estimate of the cost of constructing a suitable building on the land owned by the city at the corner of C street and Broadway, said building to contain a gymnasium, shower baths and lockers and swimming pool.

Passed under suspension of the rule.

#### COMMITTEE ON PUBLIC SAFETY.

Coun. MAHONEY offered the following:

Ordered, That Rule 24 of the Rules of the City Council be amended by inserting the following standing committee, Committee on Public Safety, to consist of five members of the City Council.

Referred to the Committee on Rules.

#### REQUEST FOR PLANNING BOARD REPORT.

Coun. PARKMAN offered the following:

Ordered, That his Honor the Mayor be requested to furnish the City Council with the report and recommendations of the Planning Board in regard to the establishment of a circle for the improved handling of traffic at the corner of Cambridge and Charles streets, known as Hamilton Coolidge square.

Passed under suspension of the rule.

#### PAYMENT TO LOUISE H. YOUNG.

Coun. ARNOLD offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation to authorize a payment by the city to Louise H.



Young for injuries caused by being shot by a police officer in making an arrest.

Passed under suspension of the rule.

#### ARC LIGHT G AND FIFTH STREETS.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an arc light at the corner of G and Fifth streets, South Boston.

Passed under suspension of the rule.

#### PAVING OF WEST EIGHTH STREET.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving West Eighth street, South Boston, from E street to Dorchester street.

Passed under suspension of the rule.

#### PAVING OF EAST EIGHTH STREET.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving East Eighth street, South Boston, from K street to Dorchester street.

Passed under suspension of the rule.

#### INVITATION TO NATIONAL CONVENTION.

Coun. LYNCH offered the following:

Whereas, The delegates to the National Democratic and Republican Conventions will meet in the summer of 1928 to choose a candidate for President of the United States; and

Whereas, Boston is one of the largest Democratic cities in the country, is adequately equipped to care for this important congress, and has a setting of historic tradition equalled by none; therefore be it

Resolved, That the Boston City Council invite the National Democratic and Republican Conventions to meet in Boston in 1928.

Referred to the Executive Committee.

#### WIDENING OF WARREN STREET, BRIGHTON.

Coun. DOWLING offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to widen Warren street, Brighton, from Cambridge street to Commonwealth avenue, to a width of one hundred feet.

Passed under suspension of the rule.

#### ACCEPTANCE OF LENOXDALE AVENUE.

Coun. GILBODY offered the following:

Ordered, That the Board of Street Commissioners, through his Honor the Mayor, be requested to accept and lay out Lenoxdale avenue, Ward 16, as a public highway.

Passed under suspension of the rule.

#### REPAVING OF ASHMONT STREET.

Coun. GILBODY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Ashmont street, from Adams street to Neponset avenue, Ward 16.

Passed under suspension of the rule.

#### SIDEWALK ON SHENANDOAH STREET.

Coun. GILBODY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Shenandoah street,

both sides, between Carruth and Wessex streets, Ward 16, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### APPROPRIATION, SOLDIERS' RELIEF DEPARTMENT.

Coun. GILBODY offered the following:

Ordered, That there be allowed and paid to the Soldiers' Relief Commissioner, and charged to the appropriation for Soldiers' Relief Department, the sum of \$500, said sum to be expended subject to the approval of the Committee on Soldiers' Relief by said commissioner in affording immediate relief to persons entitled to aid under chapter 115 of the General Laws and acts in amendment thereof and addition thereto.

Passed under a suspension of the rule.

#### ROADWAY OVER SHAWMUT BRANCH EXTENSION.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor, through the proper department heads, be respectfully requested to advise the City Council in detail with reference to the investigation of the expense of constructing a roadway or street for pleasure vehicles over the tunnel or arcaway of the Shawmut Branch Extension of the Cambridge Tunnel, requested in City Council order passed November 29, 1926.

Passed under suspension of the rule.

#### EXPENSE OF ROADWAY OVER SHAWMUT BRANCH EXTENSION.

Coun. WILSON offered the following:

Ordered, That a committee of at least three members of the City Council be appointed by the President to investigate the advisability, the practicability, and the additional expense, if any, of constructing a roadway for pleasure vehicles over and along the tunnel and arcaway of the Shawmut Branch Extension of the Cambridge Tunnel, from Geneva avenue or Park street to Peabody square.

Coun. WILSON—Mr. President, the two orders which have just been read are supplementary to my two orders of November 15 and November 29, on which dates I first advocated the utilization of the roof of the proposed Shawmut Branch Tunnel for pleasure vehicle traffic, at least from Park street, Dorchester, to Peabody square, a distance of four fifths of a mile. In November I stated that the revised plans for rapid transit at these points called for the construction of a tunnel or tube, with the roof of the subway absolutely level and flush with the adjacent land and streets, and sufficiently strengthened, at least at all intersecting cross streets, to permit traffic to cross the subway roof at such points as Park, Mather, Lyndhurst and Centre streets and at Melville and Welles avenues. In other words, even now there will admittedly be vehicle traffic directly across the subway roof at all cross streets. My two orders of November last therefore merely suggested that quite consistently with the present plan, the intervening distances along the subway roof between cross streets likewise strengthened sufficiently to support light traffic. I visualized then and I visualize now no Commonwealth avenue or City Point Boulevard, but I have advocated and now urge that a through route for pleasure vehicles on this four thousand foot stretch is not only practicable now but a necessity for the future, supplementing Dorchester avenue leading to Peabody square on the one side, and Washington street leading through Codman square on the other. Mr Sullivan of the Transit Department knows as well as I do, and better than I do, that on a roof 33 feet wide, even without the use of adjacent land, there is available roadway width of at least 30 feet, preferably without sidewalks. If

two Elevated lines of traffic can run inside the tunnel, I would assume that two lines of light traffic can easily run above the tunnel. I have now learned, through sources which I consider reliable, that even the intervening stretches of the subway roof between cross streets are, or according to existing plans should be, strong enough to support light traffic. I understand that contractors in estimating the cost of construction were given to understand that they would be permitted to drive trucks along the roof of the subway incident to backfill work. I also understand that in the vicinity of Welles avenue it is contemplated that the Sewer Department, after abandonment of the steam railroad and following construction of the tunnel, will necessarily drive its carts along the subway roof, properly to siphon sewer pipes at intervening points between cross streets. I certainly do not assume that the Sewer Department intends to utilize private land for that purpose. A full and fair consideration of the proposed roadway, not from the viewpoint of the Boston Elevated Railway Company, but from the viewpoint of the people of this city and particularly the citizens of Dorchester, will, I believe, conclusively prove to all,—except perhaps Boston Elevated Railway officials, past and present,—that a roadway along the line of the Shawmut Branch is no pipe dream, but a reasonable and practical proposal and one which in fairness to the public at this time should be seriously considered at once.

Coun. GILBODY—Mr. President, I have followed the remarks of the speaker who just preceded me with a good deal of interest. Practically the whole situation is located within my ward, and I hoped that he might have had some comprehensive idea that would alleviate traffic conditions in the neighborhood of Peabody square, Dorchester avenue and Washington street, as well as at the other points he has suggested here. A study of the situation might possibly reveal that this proposed plan would hold up the construction of work now contemplated in connection with the rapid transit branch. I would merely mention the fact, without disagreeing with him, that what the people particularly want in Dorchester is rapid transit, first, for the car rider. They are ready later, or even now, to take into consideration automobile or vehicular traffic, but provision for the car rider is the one crying need. So I would simply ask my brother to have the order referred to the Executive Committee so that we might have a full hearing and give thorough consideration to the matter.

Coun. WILSON—Mr. President, without wishing to take up too much time of the Council I wish simply to briefly call the attention of one of the other councilors from Dorchester to the fact that this part of the line I have referred to — unless he is geographically correct — is at the lower end of Ward 17. In fact, one of the polling booths hangs up to this particular line of railroad. My only point is this, that the tunnel excavation is now being made and is partly done. I do feel that while this plan is being carried out the Transit Department should seriously consider the possibility of handling the surface traffic situation. If that is considered done, it will not slow the job down one bit, because they have not yet reached a state where any of their work would have to be undone in this connection. If Coun. Gilbody will take a short, swift walk over to the district and look at the situation, I think he will be satisfied that what I have said is correct. To my mind, the time to settle whether there shall be a utilization of the roof of the subway for surface traffic is now, when the excavation is being made, and not two years after the tunnel has been completed.

The order was referred to the Committee on Rules.

#### MORTON STREET IMPROVEMENT.

Coun. WILSON offered the following:

Ordered, That the Board of Street Commissioners and the Public Works Department, through his Honor the Mayor, be requested to comply with the requests made in orders passed by the City Council on December 6, 1926, with reference to the early construction of the second section of the so-called Morton street improvement.

Passed under suspension of the rule.

#### CONVENIENCE STATION AT CODMAN SQUARE AND WIDENING OF WASHINGTON STREET.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be and he hereby is respectfully requested to advise the City Council whether in accordance with orders passed by the City Council on December 6, 1926, suitable provision is being made in the proposed 1927 budget for the construction of a convenience station at Codman square, Dorchester and also the prompt appropriation of at least \$10,000 from the 1927 tax levy to be expended for the laying-out, widening and construction of the Washington street section of the so-called Morton street improvement authorized by chapter 325 of the 1925 Acts of the Legislature.

Passed under suspension of the rule.

#### BILLS FILED WITH LEGISLATURE.

Coun. WILSON offered the following:

Ordered, That the Corporation Counsel and the Finance Commission, through his Honor the Mayor, be again respectfully requested, in courteous compliance with Coun. Heffernan's order passed by the City Council, November 29, 1926, to forward to the City Council copies of all bills and resolutions relating to the City of Boston filed with the Massachusetts Legislature of 1927.

Passed under suspension of the rule.

#### TRAFFIC OFFICER AT WASHINGTON AND PARK STREETS.

Coun. WILSON offered the following:

Ordered, That the Police Commissioner, through his Honor the Mayor, be and he hereby is respectfully requested to assign regularly a traffic officer at the intersection of Washington and Park streets, Dorchester, at opening and closing school hours, for the safety of young children, including pupils attending the Lucy Stone School for backward or mentally deficient children, whose lives are daily endangered by street car and automobile traffic at that point.

Passed under suspension of the rule.

#### APPOINTMENT OF COMMITTEES.

President HEFFERNAN announced the appointment of committees as follows:

##### STANDING COMMITTEES.

###### Executive.

All the members, Coun. Gilbody, Chairman.

On the following committees the first-named member is chairman.

###### Appropriations.

Parkman, Fitzgerald, Dowd, Lynch, Mahoney, Dowling, Gilbody.

###### Branch Libraries.

McMahon, Bush, Keene, Fitzgerald, Englert.

###### Claims.

Guild, Ward, Freeley, Parkman, Fitzgerald.

###### County Accounts.

Fitzgerald, Arnold, Green, Donovan, Wilson.

###### Finance.

Green, Keene, Gilbody, Parkman, Dowd, Guild, Lynch.

###### Greater Boston.

Donovan, McGrath, Arnold, Mahoney, Wilson, Ward.

###### Inspection of Prisons.

Mahoney, Lynch, McGrath, Dowling, Dowd.

###### Legislative Matters.

McGrath, Arnold, Donovan, Bush, Guild.

## Ordinances.

Dowling, Gilbody, Fitzgerald, Wragg, Ward, Ruby, Wilson.

## Parkman Fund.

Gilbody, Arnold, Dowd, Ruby, McMahon.

## Parks and Playgrounds.

Ward, Freeley, Dowling, Green, Ruby.

## Port of Boston.

Donovan, Wragg, Ruby, Guild, Englert.

## Printing.

Freeley, Green, Bush, McMahon, Wragg.

## Public Lands.

McGrath, Lynch, Wilson, Freeley, Dowd.

## Rules.

Lynch, Keene, Gilbody, Parkman, Mahoney.

## Soldiers' Relief.

Englert, Lynch, Wilson, Ward, Keene.

## SPECIAL COMMITTEES.

## Jitney Licenses.

Ward, Gilbody, Ruby, Mahoney, Freeley.

## Unclaimed Baggage.

Englert, McMahon, Wragg.

Committee on Investigation of Unemployment.

Ward, Dowling, Dowd, Freeley, Parkman.

## RECESS.

On motion of Coun. DOWD, the Council voted at 3.29 p. m. to take a recess subject to the call of the President.

The Council reassembled in the Council Chamber and were called to order by President HEFFERNAN at 4.29 p. m.

## EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following:

1. Reports on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.:

Mabel West, St. Cuthbert's Chapel, February 9.

Lester P. Gould, Mt. Bowdoin Hall, February 26.

Report accepted and leave granted on usual conditions.

2. Report on preamble and resolutions (referred today) inviting the National Conventions to meet in Boston in 1928,—that the preambles and resolutions be adopted.

The report was accepted, and the preamble and resolution were adopted.

3. Report on message from the Mayor (referred from last year) with orders that the Commissioner of Public Works be authorized to sell the two old ferryboats, "Hugh O'Brien" and "Governor Russell"—recommending that the order be passed, the ferryboat "Governor Russell" to be sold at public auction at an upset price of \$6,000 and the "Hugh O'Brien" at an upset price of \$1,000.

Report accepted; said orders passed.

4. Report on order (referred from last year) authorizing the heads of departments, through his Honor the Mayor, to allow veteran employees who served in the armed forces of the United States during the World War, leave of absence to attend the convention of the American Legion in Paris, France, in September, 1927,—that the order ought to pass.

Report accepted; said order passed.

## RESIDENCE OF MUNICIPAL EMPLOYEES.

Coun. GUILD—Mr. Chairman, in the absence of the chairman of the Special Committee on Residence of Municipal Employees, I will submit the following report, which has been signed by the members of the committee. I might say that at a meeting of the committee I was instructed to draft

this report for the purpose of submitting it to this meeting of the City Council. Ordinarily I would hand it to the chairman to submit, if he were present, but in his absence, and the report being signed by all the other members of the committee, I desire to file it.

The report was as follows:

## PRELIMINARY REPORT.

The Special Committee on Residence of Municipal Employees respectfully recommend, as a preliminary report, the passage of an ordinance modifying section 12 of chapter 3 of the Revised Ordinances of 1925 as it now stands, by eliminating whatever distinction is now made between male and female subordinate employees of the city by the terms of said section.

The Special Committee is not prepared at this time to make its final report, but is of the opinion that this preliminary report should be made now, in view of the pendency of the specific matter referred to above before the City Council.

At the time of the passage of the ordinance in the form in which it now stands, females were not completely enfranchised, and that fact may then have been a sufficient reason for drawing the distinction. As that reason no longer exists, the distinction should no longer be made.

The Special Committee accordingly recommends the passage of the ordinance now pending in the City Council on that subject.

TIMOTHY F. DONOVAN,

HORACE GUILD,

MICHAEL J. MAHONEY,

ROBERT G. WILSON, JR.

The report was accepted.

President HEFFERNAN—The Committee on Ordinances will take due notice.

## LEGISLATIVE HEARING IN RE ORDINANCES AND LOAN ORDERS.

Coun. PARKMAN offered the following:

Ordered, That the Committee on Legislative Matters be authorized to appear at the hearing to be held by the Committee on Cities of the Massachusetts Legislature on Thursday, February 10, to state their position on House Bill No. 2, accompanying the first recommendation of the Finance Commission of the City of Boston, entitled "An Act to Regulate the Passage of Ordinances and Loan Orders in the City of Boston."

Passed under suspension of the rule.

Coun. GUILD—Mr. President, I rise for information. We having now authorized the Committee on Legislative Matters to appear and state its views, I would like to be informed as to what its views are.

Coun. PARKMAN—Mr. President, I am unable to state what the views of the Committee on Legislative Matters are, as it has only been appointed this afternoon and, I suppose, has not met. As soon as it meets, I suppose it will be qualified to make up its own mind as to the position it should take.

Coun. DOWLING—Mr. President, in answer to the gentleman from Ward 5 (Coun. Parkman), it seems to me that the position of the Council might not be very clearly stated or its interest might not be very well represented by a committee appearing on any of those matters, under the circumstances. I don't know how a committee of five members of the City Council could very well represent the interests of twenty-two members of this body on such a question as we have had before us here for discussion under a proposed loan order to provide apparatus for the removal of snow. I am not sure that I make my position clear to the councilor from Ward 5, because it is not very clear to myself. But it seems to me that is the trouble at this time, that under the circumstances the position that the committee might undertake to assume, as representing the members of this Council might be a very bazy one.

Coun. PARKMAN—Mr. President, I said in Executive Committee that I thought it was probably, as a general rule, very unwise to allow any committee of the Council to appear before a committee of the Legislature without specific instructions from the Council as to the position it should take. But this matter has been recommended from time to time to the Committee on Legislative Matters. In fact, it was recommended to the committee last Monday. The Com-



mittee on Legislative Matters has failed to meet since, and therefore is not prepared to make a report to the Council at this time. The act which is coming up for consideration before the Committee on Cities Thursday is one that concerns the internal affairs of this Council more intimately, perhaps, than any other legislative business that the Massachusetts Legislature will have to deal with, and under the circumstances, with the short amount of time remaining, it struck me wise, as I stated in executive committee,—and as I thought was thoroughly understood there,—to authorize the Committee on Legislative Matters to meet, determine its position and take a stand before the Committee on Cities on Thursday.

Coun. McGRATH—Mr. President, I think the views of the councilor from Ward 5 (Coun. Parkman) on this matter are in perfect accord with my own. As chairman of the Committee on Legislative Matters I would state that we are going to hold a meeting at two o'clock on Wednesday here to determine what stand we shall take on this matter. This is a case where twelve members can lay a hill on the table and then, without any action being taken in the way of accepting or rejecting the bill, it will automatically become a law after a period of days as we saw on the snow removal order. It does seem to me that the Council should be represented before the Committee on Cities of the Massachusetts Legislature at 10.30 a. m. Thursday. So, if any member of the Council wishes to state his views as to the stand we should take, I would simply suggest that he may do so at two o'clock Wednesday before our committee, and we will then be able to appear before the Committee on Cities Thursday and state the views of the Council in regard to the matter.

Coun. DOWLING—Mr. President, I think I understand the situation better now, and I hope that my inadequate and incoherent remarks may be stricken from the record.

President HEFFERNAN—The Chair would be opposed to that, because the record as printed would not be understandable if the remarks of the gentleman were excluded.

#### BOSTON TRAFFIC TUNNEL.

On motion of Coun. DONOVAN, No. 3 was taken from the table, viz.:

3. Resolved, That the Boston City Council hereby favors the enactment by the General Court of the Commonwealth of Massachusetts of legislation to authorize the City of Boston to construct between Boston and East Boston a tunnel or tunnels for vehicular traffic, and for the apportionment of the cost of construction of said tunnel, upon the political subdivisions of the Commonwealth, or upon the Commonwealth.

Coun. DONOVAN—Mr. President, in asking this body to consider this resolution at this time, I will simply state that my views are these. This is to give the members of the General Court an opportunity to study the advisability of a vehicular tunnel between Boston and East Boston. While I personally favor the construction of a bridge between the two sections, still I believe, in order to be fair to certain people who are interested in this matter and who favor a tunnel between the two sections, that we should give them an opportunity to be heard at the State House. This proposition is merely based upon a report submitted by the Transit Commission when our present Mayor was a member of it, and the Mayor will at the present time then he given an opportunity to decide whether he wants to entertain or favor a matter of this kind.

Coun. McGRATH—Mr. Chairman, I think this is a matter that may well be referred to the Committee on Legislative Matters. As I stated last week, no matter involving expense to the city can be considered by a committee of the Legislature until the Boston City Council and the Mayor approve of it. This reads "That the Boston City Council hereby favors the enactment by the General Court of the Commonwealth of Massachusetts of legislation to authorize the City of Boston to construct between Boston and East Boston a tunnel or tunnels for vehicular traffic." If we do not pass some such resolution as this, the matter under the new rule of the Legislature will have no standing before the Legislature. But this new rule also lays a greater responsibility upon this body, Mr. President. With the sig-

nificance that now goes with our action upon a matter of this kind, there is a greater responsibility laid upon us. Therefore, I believe that a matter of this sort, because of its importance and size, should have a hearing before your legislative committee of the Council before we decide to take any definite stand.

Coun. WILSON—Mr. President, I have no particular animosity to the idea of a tunnel or a bridge to East Boston, but I will frankly admit personally that I don't know whether I would be in favor of the expenditure of millions of the public money for a tunnel or a bridge without giving the matter very serious consideration. I don't know that the Legislature knows at this time whether it wants a tunnel or a bridge, or what it may decide. That is a conclusion to which it can only arrive after a full and fair hearing, unless the thing is to be decided by the toss of a coin, or something of that sort. But, while I am not in a position personally to say definitely that I favor a tunnel between Boston and East Boston, I am willing to say that I do not oppose it. I would certainly have no objection to having the matter thoroughly and seriously considered. But I could not conscientiously—and I presume others in the Council feel the same way—say that I favor a tunnel, without looking into the matter more than I have been able to do up to this time.

Coun. DONOVAN—Mr. President, I would like to say that I am perfectly agreeable to having this matter recommitted to the Committee on Legislative Matters. While as a member of the Legislature I personally favored the erection of a bridge and believe that is a matter of vital importance to the City of Boston, and while there is much to be said in favor of a tunnel for vehicular traffic, I think this is a matter that should be heard before the Committee on Legislative Matters. My idea in having the resolution taken from the table at this time was that it might be given an opportunity to be heard by the Legislature themselves if it is favorably considered by the Committee on Legislative Matters and they take action in favor of it. This bill calls for the construction of a tunnel or tunnels for vehicular traffic and for the apportionment of the cost of construction upon the political subdivisions of the Commonwealth or upon the Commonwealth. I suppose the idea would be to make such apportionment upon the surrounding cities and towns. So the entire expenditure would not fall upon the City of Boston. Yet, I believe we would do well to recommit the resolution to the Committee on Legislative Matters.

Coun. GREEN—Mr. President, I rise to a point of information. I would ask the members of the Legislative Committee what became of the so-called Logan bill before this year's Legislature in regard to either a vehicular tunnel or a bridge between Boston and East Boston?

Coun. DONOVAN—Mr. President, may I say for the benefit of the councilor from Charlestown that I do not recall any occasion when the Mayor and the City Council approved any proposed bridge bill or plan between Boston and East Boston, yet these matters are being heard at this time in the Legislature. Expedition is evidently the motto of the Legislature this year, and already the Logan bill, while it has not been printed, is before the Legislature and committee hearings have been held upon it. I believe it is the duty of the Committee on Legislative Matters of this Council to delve into these matters and to appear there personally and state their position. But, speaking relative to the Mayor and the City Council, I don't know that there has been any approval or support extended on behalf of this city to the Logan bill.

Coun. FITZGERALD—Mr. President, I believe at the Legislature the rules have already been suspended on these matters, and that hearings have been had. Of course, if there is to be a tunnel proposition put through, other cities and towns benefited should pay their proportionate share. When the matter was threshed out in the Legislature last year I was one of those who voted against it, and it was defeated by four or five votes. I do believe that those who want to have something of this sort done should have an opportunity to be heard. We have already seen that there is influence enough there to suspend the rules, and that they don't have to come to the City Council in the matter. I do believe in people who are interested in matters of any sort having an opportunity to be heard, I do not believe in giving too much power to

any one man or set of individuals in anything of this sort. The Legislature is there to redress the wrongs of the people. On one of these propositions there were sufficient votes to suspend the rules, but on the other proposition there were not. So it is deemed desirable to get assistance in the matter of having this thing presented at the Legislature, down here. Up there they are not willing to suspend the rules on this proposition. I think it is a great big problem, that there are different opinions upon it, and that it should be heard on its merits. Everybody knows about the lobbying that was done up there a year ago. Without question, we had the greatest lobbying that has been seen at the State House for a great many years, and the bill was only defeated after a great deal of hard work. But the rule has been suspended up there on another branch of this Boston and East Boston matter, and I believe those interested should have the same privilege to present their views upon this, that both matters should be heard, and the merits presented, if either is to be heard.

Coun. McGRATH—Mr. President, for years, when the people of Boston did not want some big measure to go across, those who were in favor of the measure would go to the Massachusetts Legislature and put it through regardless of opposition in the city. They have been trying for years to put through a highway in downtown Boston which would cost \$25,000,000, and have been trying for years to put a bridge or tunnel across to East Boston. One element have wanted the thing to be paid for by a private corporation, and the other has wanted it to be paid for by the City of Boston. But, however, it was to be done, there were always those who believed it was to be to their own advantage, people outside of the City of Boston, who have pushed it. One of the gentlemen from Melrose, for instance, this year has introduced a bill for a \$25,000,000 highway in Boston, Boston to pay the entire cost. The Legislature has finally become ashamed of that kind of thing, forcing Boston to do and to pay for things they didn't want to have done or to pay for, and last year adopted a law or a rule that unless such a proposed order or bill had the sanction of the Mayor or City Council it should not have any standing before that body. Up to that time members here, for political reasons, have introduced orders appealing to the Legislature to do this, that or the other thing for their own districts. I would do the same thing.

But now when we introduce an order here sanctioning a thing, we are putting it formally before the Legislature. That is the only way in which they can get it before them. So, as I said last week when I asked unanimous consent to make a statement, when we have confronting us a gigantic proposition like this, and when a suspension of the rule is asked for so that we may favor the thing up there at the State House, may lend it our support, I believe suspension of the rule should not be granted until the project itself is properly considered, so that we may know whether it is a thing that we should favor. It is not now, as it has been in the past, simply a matter of good fellowship for some fellow to put in this or that order, but it becomes a matter of the city actually lending its support and giving standing to a bill, and presenting formally to the Legislature our action showing that we do formally support a bill. Therefore, I believe, in a matter of this size, better consideration should be given by some committee, after a sufficient hearing, where members will have a chance to learn the facts and decide whether they should be with it or oppose it.

Coun. FITZGERALD—Mr. President, I understand that Coun. Donovan made a motion that this matter be referred to the Committee on Legislative Matters. Is that right?

President HEFFERNAN—Yes.

Coun. FITZGERALD—Mr. President, I am agreeable to that action, so that we may hear the stories that may be told and act upon the matter intelligently in the committee. Therefore, I trust that the councilor will press his motion.

Coun. DONOVAN—Mr. President, I heartily coincide with the views expressed by Coun. McGrath and by some of the other members here, and I move now, sir, that this resolution be re-committed to the Committee on Legislative Matters.

The resolution was re-committed to the Committee on Legislative Matters.

#### GENERAL RECONSIDERATION.

On motion of Coun. BUSH a general reconsideration of all action taken today was refused.

Adjourned at 4.51 p. m., on motion of Coun. WRAGG, to meet on Monday, February 14, at 2 p. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Monday, February 14, 1927.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President HEFFERNAN in the chair. Absent, Coun. Wilson.

## BRANCH LIBRARY, CHARLESTOWN.

The following was received:

City of Boston,  
Office of the Mayor, February 12, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Boston Public Library in reply to your order of January 17, 1927, relative to establishing a branch library on Bunker Hill street, Charlestown Heights.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Library Department, February 8, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—At a meeting of the trustees held on Friday last, Councilor Green's order adopted by the City Council on January 17, that a branch library be established on Bunker Hill street, Charlestown Heights, was presented to the Board.

I have been directed to reply that a subcommittee of the trustees and of the Examining Committee have been appointed to co-operate with the library authorities in determining where new branch libraries are to be established, provided the sums for such purposes in the current budget are allowed. The Bunker Hill street location will be given careful consideration.

Very truly yours,  
CHARLES BELDEN,  
Director.

Placed on file.

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted following appointments for term ending April 30, 1927:

Weigher of Goods: Christopher B. Kennedy, 98 Medford street, Charlestown; William Culkeen & Sons Company.

Laid over a week under the law.

## VETO BY MAYOR.

The following was received:

City of Boston,  
Office of the Mayor, February 12, 1927.  
To the City Council.

Gentlemen,—Referring to the following resolutions:

1. Legislation to authorize the city to borrow money outside the debt limit for the widening of Dorchester avenue;
2. Legislation to authorize the city to borrow money outside the debt limit for the building of a bridge over a railroad located near the Morton street station;
3. Legislation to authorize the city to borrow money outside the debt limit for the widening of River street, from Mattapan square to Pierce square;

I would refer to Joint Rule 7B of the Legislature which requires the specific approval of the Mayor and City Council and I am unwilling to approve these matters and hereby return them without my signature.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

## COUNTY OF SUFFOLK BUDGET.

The following was received:

City of Boston,  
Office of the Mayor, February 12, 1927.  
To the City Council.

Gentlemen,—I submit herewith the budget for the County of Suffolk for the fiscal year 1927. In past years it has been customary to defer the submission of this document until such time as the city budget was ready. I am departing from this policy this year in order that your honorable body may have ample time to study the estimates and allowances as herewith submitted.

The allowances as recommended total \$3,492,759.31. This total represents a reduction of \$169,581.51 in the estimates as originally submitted, and is \$78,674.28 less than the total county requirements for 1926. I respectfully recommend the adoption of this budget by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

County of Suffolk Appropriations and Tax Orders for the Financial Year 1927.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1927, for performing the duties and exercising the powers devolved by statute or ordinance, or by vote of the City Council during the year, upon the City of Boston or County of Suffolk or the departments or officers thereof, and to meet their obligations for interest on debt, sinking fund requirements and maturing debt not provided for by sinking fund, the respective sums of money specified in the tables and schedules hereinafter set out be and the same are hereby appropriated for the several departments and for the objects and purposes hereinafter stated.

Ordered, That the appropriations hereinafter specified be met out of the money remaining in the treasury at the close of business on December 31, 1926, exclusive of the money raised by loan or needed to carry out the requirements of any statute, gift, trust or special appropriation, and by the income of the financial year beginning January 1, 1927, and taxes to the amount of \$3,492,759.31, and that said amount be raised by taxation on the polls and estates in the City of Boston.

Ordered, That all sums of money which form no part of the income of the city, but shall be paid for services rendered or work done by any department or division for any other department or division, or for any person or corporation other than the City of Boston, be paid into the general treasury, and that all contributions made to any appropriation be expended for the objects and purposes directed by the several contributors thereof.

Ordered, That all taxes raised to meet the appropriations of the city and county and all taxes assessed for meeting the city's proportion of the state tax for the year 1927, be due and payable on the fifteenth day of September, 1927; that interest shall be charged on all taxes remaining unpaid after the second day of October, 1927, in accordance with the provisions of chapter 59, section 37, of the General Laws, until paid, except the taxes assessed upon shares of national banks, which shall bear interest at the rate of 12 per cent per annum from the fifteenth day of September, 1927, until paid; and that all interest which shall have become due on taxes shall be added to and be part of such taxes.

Ordered, That except as the appropriation for any purpose or item shall be increased by additional appropriations or transfers lawfully made, no money shall be expended by any department for any of the purposes or items designated in the tables and schedules hereinafter set out in excess of the amount set down as appropriated for such specific purposes or item; and except as aforesaid, no salary or wages shall be paid in excess of the rate specified in said tables and schedules.



## County Departmental Estimates and Amounts Allowed by Mayor for 1927.

|                                                        | Estimated.            | Allowed.              |
|--------------------------------------------------------|-----------------------|-----------------------|
| Suffolk County Courthouse, Custodian .....             | \$170,557 35          | \$169,147 31          |
| Suffolk County Courthouse, County Buildings .....      | 80,697 00             | 68,382 00             |
| County Buildings .....                                 | 108,772 89            | 99,991 13             |
| Jail .....                                             | 212,270 38            | 206,884 16            |
| Supreme Judicial Court .....                           | 66,763 75             | 66,646 92             |
| Superior Court, Civil Session (General Expenses) ..... | 608,737 00            | 603,187 00            |
| Superior Court, Civil Session (Clerk's Office) .....   | 163,312 49            | 153,820 63            |
| Superior Court, Criminal Session .....                 | 551,750 00            | 540,390 00            |
| Probate Court .....                                    | 26,074 00             | 24,199 00             |
| Municipal Court .....                                  | 374,072 00            | 373,222 00            |
| Municipal Court, Charlestown District .....            | 30,158 90             | 30,058 90             |
| East Boston District Court .....                       | 28,821 20             | 28,474 30             |
| Municipal Court, South Boston District .....           | 24,718 35             | 24,205 15             |
| Municipal Court, Dorchester District .....             | 26,538 60             | 26,446 50             |
| Municipal Court, Roxbury District .....                | 75,815 30             | 73,705 50             |
| Municipal Court, West Roxbury District .....           | 31,169 25             | 30,849 25             |
| Municipal Court, Brighton District .....               | 21,675 40             | 18,915 60             |
| Boston Juvenile Court .....                            | 28,915 80             | 27,951 50             |
| District Court of Chelsea .....                        | 27,098 45             | 26,196 70             |
| Registry of Deeds .....                                | 187,890 39            | 178,813 72            |
| Index Commissioners .....                              | 22,872 00             | 20,348 00             |
| Insanity Cases .....                                   | 27,115 00             | 27,115 00             |
| Land Court .....                                       | 7,950 00              | 7,675 00              |
| Medical Examiner Service, Northern Division .....      | 24,720 00             | 23,866 66             |
| Medical Examiner Service, Southern Division .....      | 15,497 86             | 14,830 34             |
| Associate Medical Examiner, Northern Division .....    | 1,953 00              | 1,893 00              |
| Associate Medical Examiner, Southern Division .....    | 1,845 00              | 1,793 00              |
| Miscellaneous Expenses:                                |                       |                       |
| Auditing Department .....                              | 930 00                | 930 00                |
| Collecting Department .....                            | 1,170 00              | 1,170 00              |
| Sheriff .....                                          | 3,200 00              | 3,200 00              |
| Treasury .....                                         | 5,300 00              | 5,300 00              |
| Granite Avenue Bridge .....                            | 4,221 70              | 3,903 54              |
| Social Law Library .....                               | 1,000 00              | 1,000 00              |
| Penal Institutions Department:                         |                       |                       |
| Office Expenses .....                                  | 29,908 82             | 29,771 33             |
| House of Correction .....                              | 488,169 45            | 402,164 18            |
| Steamer "Michael J. Perkins" .....                     | 61,975 99             | 57,606 49             |
|                                                        | <u>\$3,543,635 32</u> | <u>\$3,374,053 81</u> |
| County Debt Requirements .....                         | <u>\$118,705 50</u>   | <u>\$118,705 50</u>   |

Referred to Committee on Appropriations.

## CONVEYANCE OF LAND, FOREST HILLS CEMETERY.

The following was received:

City of Boston,  
Office of the Mayor, February 14, 1927.  
To the Honorable the City Council.  
Gentlemen,—Enclosed please find an order authorizing the Mayor of the City of Boston to convey to the Forest Hills Cemetery 6,906 square feet of land on Morton street, reserving to the City of Boston the right to retain ownership of a water pipe now located on said 6,906 square feet, on condition that the said Forest Hills Cemetery, upon the payment of \$19,000, convey to the City of Boston 90,490 square feet of land taken for the widening of Morton street and dismiss a suit against the City of Boston for damages on account of said taking.

The Board of Street Commissioners of the City of Boston by a resolve and order approved by the Mayor of said city October 13, 1925, relocated Morton street, between near Canterbury street and near Morton road. By this order 90,490 square feet of land belonging to the Forest Hills Cemetery were taken and about 6,906 square feet of land or what was part of old Morton street was not contained within the limits of the new street as relocated. The Board of Street Commissioners awarded as damages on account of this taking the sum of \$19,000 which was accepted by the Forest Hills Cemetery. At the time of the making of this award it was supposed that the parcel of land left out of the new street would revert to the Forest Hills Cemetery by reason of the relocation. The Street Commissioners at the time of the making of the award understood that the damages were to cover the damage to the fence of the Forest Hills Cemetery Association and remaining land of the said cemetery, and the said association did not care to have damages for the value of the land taken but were willing that the city should have the land.

When Roxbury was annexed to Boston, title to the fee of old Morton street passed to the City of

Boston. Upon this relocation of Morton street there was a reverter to the City of Boston of so much of old Morton street as was situated outside the lines of the new street to the City of Boston free from any easement. The Cemetery Association had accepted the \$19,000 award under the misunderstanding that the fee of old Morton street outside of the relocation would revert to it. The cemetery has now brought suit against the City of Boston asking for damages occasioned by the taking.

The piece of land which was originally a part of old Morton street and which was left out of the new Morton street by its relocation is of practically no value to the City of Boston for street purposes. The said piece of land not being part of the highway might now become a detriment to the city because the city would be obliged to maintain it as land adjoining a highway. Forest Hills Cemetery is desirous of building its fence out to the street line and would be willing to dismiss the above-mentioned suit and accept the \$19,000 award for all damages occasioned by the said taking if the city would convey to it for a nominal consideration the land which reverted to the City of Boston on said relocation.

At the request of the Law Department, Mr. Warren F. Freeman has made an examination of the land with the object of giving the value of the land which the city took for street purposes and the value of the land which reverted to the city by reason of the relocation. The city took by the above-mentioned taking for street purposes 90,490 square feet of land, which Mr. Freeman values at 20 per cent per square foot, making the value of said land \$18,094. By reason of the relocation above referred to, 6,906 square feet of land reverted to the City of Boston, which Mr. Freeman valued at 20 cents per square foot, making the valuation of said land \$1,381.20.

Taking into consideration, therefore, the misunderstanding of the parties at the time of the original settlement, I think that it will be a fair thing for the city to convey the 6,906 square feet to the Forest Hills Cemetery in accordance with

the terms of the enclosed order, and I recommend the passage of the said order.

Respectfully submitted,  
MALCOLM E. NICHOLS, Mayor.

Whereas, The Board of Street Commissioners of the City of Boston by a Resolve and Order approved by the Mayor of said City of Boston October 13, 1925, relocated Morton street between Canterbury street and near Morton road; and

Whereas, By said taking the said Board took for street purposes 90,490 square feet of land belonging to the Forest Hills Cemetery; and

Whereas, 6,906 square feet of land of what was part of old Morton street was outside of the limits of the new street as relocated by said resolve and order;

Now, Therefore, he it Ordered, That the Mayor of said City of Boston be authorized and he hereby is authorized in the name and behalf of said City of Boston to convey for a nominal consideration to the said Forest Hills Cemetery by an instrument in writing satisfactory in form to the Law Department of said City of Boston all the right, title and interest which the said City of Boston has in and to the said 6,906 square feet, reserving to the said City of Boston the right to retain the ownership of the water pipe now located in said 6,906 square feet, and reserving also to the said City of Boston the right to go upon the said 6,906 square feet at any and all times for the purpose of maintaining, using, repairing and reconstructing the said main or building any other main within the said 6,906 square feet, and the said conveyance is to be made upon condition that the said Forest Hills Cemetery at the same time of the conveyance to it by the said City of Boston of the said 6,906 square feet shall convey to the said City of Boston by a street deed in form satisfactory to the Law Department of the said City of Boston, the said 90,490 square feet of land and shall upon the payment of the sum of \$19,000 dismiss the suit now pending against the City of Boston for damages on account of the taking of said easement by the resolve and order aforesaid and shall release the said City of Boston from all claims for damages by reason of or in any way growing out of said taking.

Referred to Committee on Public Lands.

#### PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

##### Claims.

Burnadette Comeau, for compensation for injuries caused by being struck by truck of Water Service.

Mary W. Knight, for compensation for damage to property at 8 Baxter street, South Boston, caused by water from street.

Harry S. Liner, for compensation for damage to property at 192 Lamartine street, caused by city truck.

Charles Martin, for compensation for damage to automobile by city truck.

Margaret Z. McDonald, for compensation for injuries caused by being struck by patrol wagon.

Margaret McDermott, for compensation for injuries caused by an alleged defect at 114 and 116 Savin Hill avenue.

Albert J. McNamee, for compensation for injuries caused by an alleged defect in Auhurn street, Roxbury.

D. T. Merrill, for compensation for damage to automobile by city car.

F. L. Moore & Co., for compensation for damage to wagon by ladder truck of Fire Department.

William H. Sullivan, for compensation for damage to automobile caused by an alleged defect in Fessenden street.

Carmen Suri, for refund on permit for opening street.

Irene P. Tierney, for compensation for injuries caused by an alleged defect at 467 Chelsea street.

Abraham Trackenberg, for compensation for damage to automobile caused by an alleged defect in Morton street.

Henry Waldman, for compensation for damage to automobile by city truck.

Samuel D. Waxman, for reimbursement for overtime work while working temporarily in Collecting Department.

Yirrell & Fetting, for compensation for damage to truck caused by an alleged defect in Dover Street Bridge.

Edward Younis, for refund on refuse tickets.

#### RESIGNATION OF ROBERT R. HARTUNG.

Notice was received from his Honor the Mayor of resignation of Robert R. Hartung, as constable of the City of Boston, effective January 27, 1927.

Placed on file.

#### APPOINTMENT OF TRUSTEE OF ART COMMISSION.

Notice was received of the appointment by the Mayor of John Harleston Parker of 173 Commonwealth avenue as an Art Commissioner, certified copy of the same having been delivered to the Commissioners of Civil Service on February 8, 1927.

Placed on file.

#### APPROVAL OF OVERSEERS OF PUBLIC WELFARE.

Notice was received of approval by the Commissioners of Civil Service of appointments as Overseers of Public Welfare of Joseph T. Zottoli, Thomas H. Ratigan and James J. Moynihan.

Placed on file.

#### DESIGNATION OF TERM OF OVERSEERS OF PUBLIC WELFARE.

Notice was received from his Honor the Mayor that Judge Joseph T. Zottoli is taking the place of Judge Frank Leveroni; Thomas J. Ratigan that of James H. Stone and James J. Moynihan that of James J. Crowley as members of the Board of Overseers of the Public Welfare.

Placed on file.

#### STORAGE AND SALE OF GASOLINE.

Notice was received from the Street Laying-Out Department of hearings on petitions for storage and sale of gasoline to be held Monday, February 28:

Academy Garage, 590 Huntington avenue, Ward 4, 1,500 gallons.

Frederick W. O'Connor, 1701-1709 Columbus avenue, Ward 11, 2,000 gallons.

John J. Shempa, 75 Hampden street, Ward 8, 1,500 gallons.

Referred to the Executive Committee.

#### LAND ON CHARLES STREET, CHARLESTOWN.

The following was received:

City of Boston,  
School Committee, February 11, 1927.  
Mr. Wilfred J. Doyle,

Assistant City Clerk,

Dear Sir,—At the meeting of the School Committee of Monday, February 7, 1927, the Board took up for further consideration the communication from the superintendent submitted to the School Committee at the meeting of January 10, 1927, in reply to the order passed by the City Council on November 29, 1926, requesting the School Committee, through his Honor the Mayor, to consider the advisability of taking land at the corner of Charles street, Charles Street place, and Schoolhouse court, Charlestown, for school extension purposes.

At this recent meeting of the committee a communication was received from the Director of School Hygiene in response to the request of the School Committee that the director report to the committee his opinion as to the necessity of taking the land in question in the interest of the health of the school children.

The Director of School Hygiene, Dr. John A. Ceconi, reports that the Rand & Byam Soap Company factory, located on the land in question, has been in existence since 1816; that up to thirty years ago an offensive odor or an effluvium was popularly supposed to be a deadly emanation which produced

communicable disease and ill health; that for over a score of years the science of public health has been teaching that these factors are not demonstrable detriments to health; and finally, the Director of School Hygiene is of the opinion that this is not a health problem affecting the school children; that, if anything, the factory is a nuisance; and if it is a public health nuisance, the only department that can function in the abatement of such nuisance is the local health department.

The report of the Director of School Hygiene was accepted. The report of the superintendent of Schools was likewise accepted and a copy ordered sent to the City Council as the committee's reply to the order passed November 29, 1926.

Very truly yours,

ELLEN M. CRONIN, Secretary.

Boston, January 10, 1927.

To the School Committee:

At the meeting of the School Committee of December 6, there was referred to the superintendent an order passed by the City Council on November 29, 1926, requesting the School Committee, through his Honor the Mayor, to consider the advisability of taking land at the corner of Charles street, Charlestown District, for school extension purposes.

At the request of the superintendent, the Board of Apportionment gave careful consideration to this request of the City Council, and reported to the superintendent that in its opinion it is inadvisable to recommend the purchase of this property, since there are other more urgent needs for which appropriation should be made. There has recently been acquired for the pupils of the Bunker Hill and Thomas Starr King Schools playground area amounting to 9,863 square feet. This, in addition to about 5,000 square feet recently transferred from the Park Department, makes a total of newly-acquired area of 14,863 square feet. Furthermore, the School Committee has in contemplation the erection soon of a large central intermediate school in Charlestown. This building, when completed, will relieve all the other districts of their seventh, eighth and ninth grades. At that time it is quite likely that the Thomas Starr King building, which is very old and which adjoins the Bunker Hill School will be abandoned, and thus adequate play space will be provided for the pupils.

The superintendent concurs in the opinion of the Board of Apportionment, and recommends that a copy of this communication be sent to the City Council as the School Committee's reply to the order passed by the City Council on November 29, 1926.

Respectfully yours,

JEREMIAH E. BURKE,

Superintendent of Public Schools.

Placed on file.

#### MINORS' LICENSES.

President HEFFERNAN submitted report recommending granting of minors' licenses to eighty-nine newsboys and seven vendors, under usual conditions. Report accepted, said licenses granted.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President HEFFERNAN called up, under unfinished business, Nos. 1 and 2 on the calendar, viz.: Action on appointments submitted by the Mayor, February 7, 1926, viz.:

1. Joseph S. Halbert, Albert Olen, Lewis E. Weinberg, Jefferson H. Parker and Joseph Weiner, to be Constables.

2. Thomas W. Berridge and Walter F. Mager, to be Weighers of Coal.

The question came on confirmation. Committee, Coun. Green and Dowling. Whole number of ballots 17, yeas 17, nays 0, and the appointments were confirmed.

#### DISPLAY OF FLAGS.

Coun. DOWLING offered the following:

Ordered, That his Honor the Mayor be requested to issue a proclamation to the citizens of

Boston requesting a general display of the American flag on all private residences and business places on Tuesday, February 15, which date has been designated by his Excellency Alvan T. Fuller as Spanish War Memorial Day and Maine Memorial Day.

Coun. DOWLING—Mr. President, I have in my hand a proclamation issued by his Excellency the Governor calling attention to the fact that February 15 is the memorial day of the Spanish War Veterans, the Maine Memorial Day. The 15th of February is the anniversary of the sinking of the battleship "Maine" in Havana Harbor, which called to the colors perhaps the last volunteer army that this country may ever see. As a member of one of the Spanish War organizations in this state, I have followed with interest the activities of the organizations, and it is fitting that the City of Boston should follow in the footsteps of the Governor in this matter, setting apart a day that will be a memorial day for the veterans of the Spanish-American War. Therefore, I ask the passage of the order under suspension of the rule!

The order was passed under suspension of the rule.

#### REPAVING OF HYDE PARK AVENUE.

Coun. WRAGG offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave Hyde Park avenue, between Metropolitan avenue and Ashland street, Ward 18, with a smooth pavement.

Passed under suspension of the rule.

#### REMOVAL OF CAR TRACKS, HYDE PARK AVENUE.

Coun. WRAGG offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to remove the car tracks on Hyde Park avenue, between Dana avenue and Wolcott square, Ward 18, and resurface the street between these points with a smooth pavement.

Passed under suspension of the rule.

#### SPECULATION IN THEATER TICKETS.

Coun. RUBY offered the following:

Ordered, That a committee of three members of the City Council be appointed to conduct an investigation into the speculation in theater and moving picture house tickets in the City of Boston, and to submit a report to the City Council with such recommendations as the committee may deem warranted.

Referred, on motion of Coun. RUBY, to the Executive Committee.

#### BRANCH LIBRARY, FRANKLIN PARK.

Coun. RUBY offered the following:

Ordered, That the Library Trustees be requested, through his Honor the Mayor, to establish a branch library in the Refectory Building at Franklin Park.

Passed under suspension of the rule.

#### LEASE OF ELMWOOD STREET GYMNASIUM.

Coun. McGRATH, for the Committee on Public Lands, submitted a report on the order transmitted by the Mayor (referred January 31) authorizing the Mayor for the city to execute and deliver to James J. Mahoney Roxbury Post, Veterans of Foreign Wars, No. 457, a lease of building commonly known as the Elmwood Street Gymnasium, on Elmwood street in the Roxbury district, formerly used as a gymnasium, said lease to run for a term of five years beginning November 1, 1926, the premises to be used for Post headquarters, etc.,—that the same ought to pass.

Coun. FITZGERALD—Mr. President, I would like to ask the chairman of the committee one



question with reference to that order. Is that building used for political purposes, for meetings at election time?

Coun. McGRATH—Mr. President, I cannot answer that question, but probably Coun. Ward can do so for me.

Coun. WARD—That building is used on election days as a precinct polling place.

Coun. FITZGERALD—Mr. President, my purpose in rising is this. During the past three or four years it has become quite a fad in this city to turn over our public buildings to organizations for the sum of \$1, and we then find at about election time, when there is a call to use those buildings for public meetings and rallies, that they have been set aside to certain citizens for these particular purposes and are not available. Therefore, in some cases you have to go to the extreme ends of the ward to get places where the citizens can meet. In the ward where I reside we find that now we are even without a public building to hold political rallies or meetings in. That was my reason for rising at this time to find out the facts in this case. I think in all such leases there should be a clause to the effect that when political organizations or candidates for office desire to use the buildings for rallies or meetings, they should be allowed to do so, because many times we find that such buildings, erected for just such purposes, so that citizens may have an opportunity to assemble peacefully for meetings interesting them at any time, are not available because of just such action as it is proposed that we take here today. We often find ourselves unable to hold public meetings, possibly in protest against something that concerns the public, and have to hire a hall. I think in all the leases from now on a clause should be included that at election times or other times when meetings of the citizens might properly be held, they may not find such buildings closed to them, buildings that the citizens have paid for.

Coun. McGRATH—Mr. President, if the councilor will offer an amendment to that effect, I should be perfectly willing to have the amendment included in the order.

Coun. GREEN—Mr. President, I think it would be better to have the order recommitted, and I make a motion to that effect.

Coun. WARD—Mr. President, in regard to this special order reported by the committee, let me say that the Elmwood Street Gymnasium, as it was formerly called, was used simply as a basketball court but since such activities have been transferred to the Cabot Street Bath House there has been no use for the Elmwood Street Gymnasium. I believe the only day in the year when the city uses this building is on election day, when it is used as a precinct booth.

Coun. FITZGERALD—Mr. President, right there,—I understand the councilor to say that it was only used for basketball purposes. An opportunity to play basketball is a crying need in this city today. It would seem that the young men there are now deprived of the use of the building for basketball, which has become one of our leading winter indoor sports. One of the main reasons today why many of our young men are spending their time in State's Prison, in Charlestown or Concord, is that they have had no place to go for amusement and recreation other than the street corners. I believe the Elmwood street building is a long distance from Cabot street. I think this is in Coun. Freeley's district, and if this building is abandoned, the boys will have just so much less opportunity to play basketball or indulge in indoor sports. I think this order should be very carefully considered, looked into.

Coun. FREELEY—Mr. President, while the Elmwood street building has in the past occasionally been used for basketball, I understand that it was never very well fitted for that purpose, and that conditions are much better in the Cabot street building, which is not such a long distance away. I might say that the Roxbury Post of Veterans of Foreign Wars has been using the building for the past five years, and I don't know why there should be objection at the present time when it is proposed that the Legion be given an opportunity to use it. I think this lease should be granted, without any question.

Coun. WARD—Mr. President, I would say that this Elmwood Street Gymnasium happens to be in my district, and that it is not the most appropriate place in the world for men and boys to go for games. Such activities in the district are now centering in the Cabot Street Bath House, which

is properly fitted up for that sort of thing and is easy to get to. I don't know of any people who care to utilize the Elmwood street building for a meeting place. I know personally that I have always been interested in politics, and I know, when it comes to holding public meetings, that there are five or six other places where the people of the district would rather go than to the Elmwood street building. It is out of the way. There are never any rallies at the Elmwood Street Gymnasium, so I don't think there can be any controversy over that question.

Coun. FITZGERALD—Mr. President, I want my position to be correctly understood. Having had to consider and deal with this question of places for rallies in different parts of the city for the last few years, I will simply say that we have found ourselves up against this proposition, not only in my own ward but in different sections of the city, that the public buildings were being used for the benefit of different posts or organizations and that the people in general have been deprived of their right to use such buildings for public meeting places. In my own district we find the buildings absolutely closed against them. When the councilor spoke of the only use for the place being for basketball, the situation of many of the boys in my section immediately occurred to my mind. I know how hard it is to get places for that sort of thing and how hard it is for boys interested in such sports to get a place where they can indulge in them today. Even the public parks are taken up by the so-called professionals and the boys have no opportunity. I was simply speaking in their interests, as they have no opportunities today as they should have for indulging in such sports, and the citizens around election time do not have the chance they should to avail themselves of such buildings for public meetings. In the matter of sports, everything is being commercialized, and when that order was read I simply wanted to find out if it meant that that place could no longer be used for such uses as I have suggested, as a public building. Therefore, it occurred to me that a provision might be put in the lease that at election times at least it might be used for public rallies and meetings.

The motion to recommit was declared lost.

Report accepted, order given its first reading and passage, yeas 19, nays 0.

#### REPAVING OF MAYWOOD STREET.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Maywood street, Ward 12.

Passed under suspension of the rule.

#### REPAVING OF BEECH GLEN STREET.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Beech Glen street, Ward 11.

Passed under suspension of the rule.

#### PLAYGROUNDS FOR CHILDREN.

Coun. GREEN offered the following:

Ordered, That the Park Commission and the City Planning Board be requested, through his Honor the Mayor, to make a comprehensive study and report to the City Council as to the advisability of taking by eminent domain land in the various sections of the city, where dilapidated structures now stand, to be used for mothers' rests and playgrounds for small children.

Referred, on motion of Coun. GREEN, to the Executive Committee.

#### REPAVING OF CAMBRIDGE STREET, CHARLESTOWN.

Coun. GREEN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Cambridge street, Charlestown.

Passed under suspension of the rule.

### SEMAPHORE AT FAY SQUARE, CHARLESTOWN.

Coun. GREEN offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to place a semaphore at Fay square, in the Charlestown district.

Passed under suspension of the rule.

### EXAMINATION OF RESTAURANT EMPLOYEES.

Coun. GREEN offered the following:

Ordered, That all persons engaged in the handling of food supplies, such as meats, etc., and all employees of restaurants and lunch rooms engaged in the preparing and dispensing of foods in the City of Boston be required to appear before the Health Commissioner every three months to undergo a physical examination as a means of preventing the spread of communicable diseases.

Referred, on motion of Coun. GUILD, to the Executive Committee.

### INFORMATION FROM CORPORATION COUNSEL.

Coun. FITZGERALD offered the following:

Ordered, That the Corporation Counsel at his earliest convenience, through his Honor the Mayor, be requested to answer for the information of the Council, the following questions relating to the agreement referred to by him in his opinion dated February 4, 1927.

1. Is Harvard University a school or institution of learning, whether under public control or otherwise, wherein any denominational doctrine is inculcated?

2. Is Harvard University a school, college, institution, or educational undertaking, which is not publicly owned and under the exclusive control, order and superintendence of public officers or public agents authorized by the Commonwealth or Federal authority or both?

Coun. FITZGERALD—Mr. President, my purpose in offering that order is to request the Corporation Counsel, through his Honor the Mayor, to answer those two questions, in view of the fact that an opinion has already been rendered and referred to the Committee on Libraries. In order that the matter may be intelligently discussed here or before the committee, it will be necessary to get the information requested in the order I have offered. I do not desire to take up the matter until I have an understanding of it such as may be obtained from an answer to the questions I have asked.

Coun. WARD—Mr. President, I move that the order be referred to the Executive Committee.

Coun. WARD's motion to refer to the Executive Committee was declared carried.

Coun. FITZGERALD—Mr. President, I would like to ask the reason for reference to the Executive Committee.

Coun. WARD—Mr. President, if the councilor from the West End desires the order held up by reason of the fact that we are awaiting an opinion from the Corporation Counsel, I don't think the matter should be discussed until the Corporation Counsel has answered the questions asked by the councilor from the West End.

Coun. FITZGERALD—Mr. President, I said I did not desire to discuss or to consider the matter until the questions were answered. The other matters are now in the Committee on Libraries. I do not wish to enter into any debate or controversy upon the matter today. I simply want the questions answered. The other matters are, as I say, now before the Committee on Libraries.

The order stood referred to the Executive Committee.

### SIDEWALK, SAVIN HILL AVENUE.

Coun. McGRATH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Savin Hill avenue in front of Nos. 10 and 12, Ward 13, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to

be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

### REINSTATEMENT OF FRANK FASANO.

Coun. MAHONEY offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation to authorize the reinstatement of Frank Fasano as a member of the Police Department of the City of Boston.

Passed under suspension of the rule.

### BRIDGE BETWEEN MARINE PARK AND CASTLE ISLAND.

Coun. MAHONEY offered the following:

Ordered, That the Park Department be requested, through his Honor the Mayor, to make necessary repairs to the bridge between Marine Park and Castle Island in order to insure the safety of the public during the coming season.

Passed under suspension of the rule.

### IMPROVEMENT OF LIGHTING SYSTEM, ROXBURY.

Coun. DOWD offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to include in the budget for the year 1927 a sum sufficient to improve the lighting system in Roxbury.

Referred, on motion of Coun. DOWD, to the Executive Committee.

### WIDENING OF DUDLEY STREET.

Coun. DOWD offered the following:

Resolved, The City Council hereby approves the enactment of legislation to authorize the City of Boston to borrow money outside the debt limit for the widening of Dudley street in the Roxbury district of said city.

Coun. GUILD—Mr. President, I move reference of the resolution to the Committee on Legislative Matters.

Coun. DOWD—Mr. President, I might say in presenting that resolution that I am doing so out of courtesy to a colleague of mine who represents my ward in the Legislature. I am heartily in accord with reference of the matter to the Committee on Legislative Matters.

The resolution was referred to the Committee on Legislative Matters.

### REPAVING EAST COTTAGE STREET.

Coun. DOWD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving East Cottage street, from Dudley street to Norfolk avenue, Ward 8.

Passed under suspension of the rule.

### IMPROVEMENT OF ORCHARD PARK, ROXBURY.

Coun. DOWD offered the following:

Ordered, That the Park Department be requested, through his Honor the Mayor, to expend the sum of \$5,000 in improving Orchard Park, Roxbury, Ward 8, to be charged against the income of the Parkman Fund.

Passed under suspension of the rule.

### HEALTH UNIT IN ROXBURY.

Coun. DOWD offered the following:

Ordered, That the trustees of the George Robert White Fund be requested, through his Honor the



Mayor, to consider the establishment and maintenance of a health unit in Roxbury.

Coun. DOWD—Mr. President, I rise to speak on this order because our president is now a member of the George Robert White Fund Board. I want to call the attention of the President, the Mayor of Boston and the members of the City Council to the fact that Roxbury is today represented in the City Council by five members. Coun. Bush represents a large section of it; Coun. Ward represents a large section; Coun. Freeley represents another section, Coun. Englert another, and there is a section of Roxbury that I represent. Roxbury, to my mind, has more suffering than perhaps any other section of the city, with the possible exception of the North End. The North End has a health unit, East Boston has one, and South Boston is now having one erected. I hope, therefore, Mr. President, when there is future discussion in reference to this matter in that honorable board, you will take it up and advise the Board that Roxbury, with a population of about 95,000, has not a health unit, whereas these other sections have. I do not speak because I have a desire necessarily to have a health unit placed in my particular ward, but I believe that the five councilors from Roxbury could very well get together and agree upon a place for such a unit which will be agreeable to all concerned.

Coun. GREEN—Mr. President, I disagree with the councilor who has just taken his seat. I don't think there is any more suffering in the Roxbury district than there is in my humble district and I hope, you, Mr. President, sitting on that Board as President of the Boston City Council, when you are acting as a trustee of the George Robert White Fund, will do so with an open mind.

Coun. WARD—Mr. President, about ten months ago I placed a similar order before this body, which was passed under suspension of the rule, and I spoke with some of the members of the George Robert White Fund Board, including our ex-president, who at the time was a member of that Board. I then pointed out to him, as I intend to point out to our present President, the necessity of placing a health unit in Ward 9. Certainly there should be such a unit in Roxbury because, as Coun. Dowd has stated, Roxbury contains probably the biggest population of any section of the city at the present time. There is no part of the City of Boston with a more congested population, and I hope the matter may be taken up by you personally, Mr. President, outside of the Council meeting, impressing upon the other members of that Board the necessity of a health unit in that district.

Coun. BUSH—Mr. President, while I have no objection to the councilor's order, myself, and while I also feel that perhaps a health unit might be of great benefit to the Roxbury district, we must not forget that the George Robert White Fund provides only for the building of a health unit and not for its maintenance. The maintenance has to come out of the City of Boston. Besides we in Roxbury are within a short distance of the City Hospital, and it is not very difficult to get there, as far as the health of the people, children or adults, is concerned. I don't think a health unit should be constructed out of that fund in that section.

Coun. DOWD—Mr. President, I realize full well that the upkeep of projects constructed through the George Robert White Fund is tremendous, but I very much question Coun. Bush's statement that it is not difficult to go from our section to the Boston City Hospital, and his feeling that a health unit is not necessary in our district. I certainly very much disagree with the councilor on the matter of the necessity of such a health unit. If I remember rightly, both councilors Bush, Dowd and myself, in fact all the councilors from Roxbury, pledged ourselves when we were going before the people, to work hand in hand to bring a clinic to Roxbury, through the George Robert White Fund.

The order was passed.

#### CLOCK IN COUNCIL CHAMBER.

Coun. KEENE offered the following:

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to include in his budget for the present

year a sum sufficient to provide for the repair of the clock in the City Council Chamber.

Passed under suspension of the rule.

#### BOARD WALK, PARKER HILL AVENUE.

Coun. FREELEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to replace the board walk on the south side of Parker Hill avenue, from Parker street to the Robert Bent Brigham Hospital, Ward 10.

Passed under suspension of the rule.

#### PURCHASE OF ELEVATED STRUCTURES.

On motion of Coun. DOWD, No. 3 on the calendar was taken from the table, viz.:

3. Resolved, That the Boston City Council favors the plan proposed by former representative Luke D. Mullen of Charlestown calling for the purchase of the elevated structures, their removal and the substitution of subway or tunnel transportation.

Coun. DOWD—Mr. President, I now move you, sir, that the words "proposed by former Representative Luke D. Mullen of Charlestown" be stricken from the resolve, and that the following words be inserted, "as outlined in Senate Bill No. 7." I simply want to say, in moving that amendment, I offer it at the personal solicitation of former Representative Luke D. Mullen of Charlestown. He feels that the reference here should be to Senate Bill No. 7, and that it should not be referred to as his own personal bill.

Coun. Dowd's amendment was adopted, and the order as amended was passed.

#### DISCHARGE OF MEMBERS OF BOARD OF OVERSEERS.

On motion of Coun. DOWD, No. 4 on the calendar was taken from the table, viz.:

4. Ordered, That his Honor the Mayor be requested to furnish the City Council with the reasons for the recent discharge of members of the Board of Overseers of the Public Welfare.

On motion of Coun. DOWD the order was indefinitely postponed.

#### RECESS.

The Council voted at 2.48 p. m., on motion of Coun. GREEN, to take a recess, subject to the call of the Chair.

The members reassembled in the Council Chamber and were called to order by President HEFFERNAN at 3.33 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. DOWLING, for Coun. GILBODY, submitted the following:

1. Report on order (referred today) for the appointment of a committee of five members to conduct an investigation into the speculation in tickets—that the same be referred to the Committee on Public Safety, when appointed.

Report accepted; said reference ordered.

2. Report on order (referred today) relative to the examination of restaurant employees—that the same be referred to the Committee on Public Safety, when appointed.

Report accepted; said reference ordered.

3. Report on order (referred today) requesting the Park Commission and the City Planning Board, through the Mayor, to make a comprehensive study and report to the City Council as to the advisability of taking land in the various sections of the city, where dilapidated structures now stand, to be used for mothers' rests and playgrounds for small children—that the same be referred to the Committee on Parks and Playgrounds.

Report accepted; said reference ordered.

4. Report on order (referred today) requesting the Commissioner of Public Works, through the Mayor, to include in the budget for 1927 a sum sufficient to improve the lighting system in Roxbury—that the same be passed, striking out the



words "in Roxbury" and inserting in place thereof the words "throughout the city."

The report was accepted, and the order in the amended form was passed.

#### FINANCE REPORTS.

Coun. GREEN, for the Committee on Finance, submitted the following:

1. Report on order transmitted by the Mayor (referred January 17) for a loan of \$1,000,000 for highways, making of, under the provisions of chapter 393 of the Acts of 1905—that the same ought to pass.

The question came on accepting the report.

Coun. DONOVAN—Mr. President, is there a list of the streets affected by this million dollar appropriation?

Coun. GREEN—Mr. President, I might say for the information of the gentleman who has just taken his seat that the Committee on Finance when they met invited the chairman of the Board of Street Commissioners before the committee as well as the Commissioner of Public Works, and both of those gentlemen at that time stated their program for the coming year. Every member of the committee was satisfied. The chairman of the Board of Street Commissioners informed me that if any member of the Council wished to appear before the commission, he would submit the program for 1927 for his approval or disapproval. But he said that every section of the city was going to be considered. I might say that the million dollars will be equitably divided.

The report was accepted and the order was passed, yeas 18, nays 0.

2. Report on order transmitted by the Mayor (referred January 10)—for a loan of \$1,000,000 for sewerage works—that the same ought to pass.

Coun. McMAHON—Mr. President, I would like to ask the President where that million dollar sewerage program happens to be?

Coun. GREEN—Mr. Chairman, the Commissioner of Public Works explained himself on that matter very thoroughly before our committee. It has to do with the construction of new streets. Of course, where we have new streets, we need new sewers, and it will cost a million dollars to put those sewers in the new streets.

The report was accepted, and the order was passed, yeas 18, nays 0.

#### SOLDIERS' RELIEF.

Coun. ENGLERT, for the Committee on Soldiers' Relief, submitted report recommending passage of order for payment of aid to soldiers and sailors and their families in City of Boston for month of February, 1927.

Report accepted; said order passed.

#### COMMITTEE ON RULES.

Coun. LYNCH, for the Committee on Rules, submitted the following:

1. Report on the order (referred February 7) for the appointment of a committee of at least three members of the Council to investigate the advisability, practicability and additional expense, if any, of constructing a roadway for pleasure vehicles over and along the tunnel and arway of the Shawmut Branch extension of the Cambridge Tunnel, from Geneva avenue or Park street to Peabody square—that the same ought to pass.

Report accepted; said order passed.

2. Report on order (referred February 7) that Rule 24 of the Rules of the City Council be amended by inserting the following standing committee, Committee on Public Safety, to consist of five members of the City Council—that the same ought to pass.

Coun. LYNCH—Mr. President, the committee also recommends that this Committee on Public Safety be increased from five to seven members, and I offer that amendment to this order.

The order was amended by striking out the word "five" and inserting in place thereof the word "seven," and the report was accepted, and the order as amended was passed.

#### LISTENING IN ON TELEPHONES.

Coun. McGRATH offered the following:

Ordered, That his Honor the Mayor be authorized, in the name and on behalf of the City of Boston, to petition the Massachusetts Legislature during its present term, for legislation to strike out section 102 of chapter 272 of the General Laws of 1921, which reads "the three preceding sections" (99, 100, and 101) "shall not apply to a corporation subject to the jurisdiction of the department of public utilities of the Commonwealth or to the jurisdiction of the interstate commerce commission, or to the employees of any such corporation while engaged in the conduct of its business."

Coun. McGRATH—Mr. President, my reason for introducing this order at this time, calling upon the Mayor to petition the Legislature, on behalf of the City of Boston, to strike out section 102 of chapter 272 of the General Laws of 1921, is that I was advised in the State House, when I made inquiry of those in authority, in order not to establish the dangerous precedent of having members of the Board of Aldermen or of the City Council in the various cities petition the Legislature without the support of the Mayor, it was well to have the Mayor himself petition the Legislature for necessary legislation. I take the official stand I do upon this matter at this time in order to settle the controversy that has been going on here for the last few weeks. Some three weeks ago I accused the New England Telephone and Telegraph Company of listening in on telephones. Instead of merely making the customary accusation, in a general way, I named the place where the listening in was taking place, I named the man in whose office it was occurring, and I named the girl who had charge of the listening in. I also referred to the voltmeters used for listening in purposes and for no other purpose. Up to date those whom I accuse of listening in have not answered. A good many officials of the telephone company have been much disturbed, and statements have been made in the press as emanating from them, but their names have not been given, as they apparently did not dare to stand back of the statements refuting the charges that were made; and up to date Mr. Hannigan, the man whom I accused of listening in on my telephone and on your telephone, President Heffernan, has not come forward to deny the charge. In order to show how far they will go in interesting themselves in the political field, let me state to you another concrete instance. Some years ago in the town of Milton there was a fight for a seat in the Massachusetts Senate. Mr. Franklin L. Codman, who had been a member of the Board of Aldermen here, was a candidate for the Senate, and running against him was a Mr. Pierce, a member of the Walter Baker concern in Dorchester. A Mr. John Murray, who now holds a responsible position with the telephone company, went out to the Pierce place in Milton, and put Mr. Pierce's line up, and every night the private conversation between Mr. Pierce and others was listened in on by Murray, under authorization of members of the telephone concern, with the result that when anything whatever was planned in the interest of his candidacy it was upset, and Mr. Pierce does not know to this day why he was defeated for a seat to which he was entitled and which he could have had if he had had a fair opportunity to win it. He was defeated for the Massachusetts Senate by Mr. Codman because the telephone company sold the information thus obtained through the services of their employee, Mr. Murray, and because of the fact that the service was meddled with in that way Mr. Pierce, instead of getting the service that he should have, that he paid for, was robbed. There is a concrete instance, and let Mr. Murray today deny that, and also let Mr. Hannigan deny what has been said about his actions in that connection. If such an accusation were made concerning me, Mr. President, and I were innocent, I would deny it. I have accused Mr. Hannigan and Mr. Murray, and now let them come forward, sir, and deny that they are listening in or have been listening in on your line, sir, or on my line, or other lines. I made complaint to the proper source, the Department of Public Utilities, through Mr. O'Brien, and he comes back with a letter that says the law of 1921 specifically exempts—and he underlines the provision—"any corporation subject to the jurisdiction of the Department of Public Utilities." I have no quarrel with Mr. O'Brien. I know him well and think

very highly of him, and I don't want to have this construed as a dispute between myself and Mr. O'Brien, because I want to thank him for the prompt attention he gave to my charge of listening in. But, of course, by the time that the charges were taken up by him the whole thing was so well known that the cause of complaint was removed for the time being. I do, however, wish to put into the record something that I wish to stand for all time, something that will raise the matter above a mere dispute between myself and any other individual in Boston, and I will then leave it to the members of this body and to the citizens of Boston to decide on the facts as presented whether the law is as it should be, and whether they think that any individuals or corporations are bigger than the law. Early in 1921, on the 14th day of January, there was a bill introduced into the Legislature, known as House Bill 350, which specifically prevented any one with a dictaphone, dictograph, telephone or telegraph, from tapping a wire. You, Mr. President, know something about legislation, and so do other members of this body, and I now wish to submit three pages setting forth the process and the steps which that matter took, until in May, 1920, it was enacted into law, with every tooth in the law taken out. I don't think in the history of legislation in this state you can find a bill that took so long to go through and has so many amendments nullifying the purpose of the bill itself. And so I am going to submit this record to the stenographer so that it will appear as a matter of record in our proceedings. As I say, the bill as originally introduced, House No. 350 of 1920, was one thing, and the bill as finally changed and amended, in House No. 1577, was a very different thing. The bill as introduced provided that whoever, "except when authorized by written permission of the Attorney General of the Commonwealth, whether on his own account or as the servant or agent of another, permits or acquiesces in the installing of any device or arrangement, or the tapping of any wire, with intent to divulge information concerning any official matter or to injure another, shall be punished by imprisonment for not more than two years or by a fine of not more than \$1,000 or by both such fine and imprisonment." And the bill specifically stated what it meant to injure another and what it meant by the device that might be used. It said that "'device' shall mean and include within this meaning any mechanical, electrical or other apparatus or contrivance for the transmission or recording of spoken words, and including the instruments commonly known as a telephone, dictograph, and dictaphone."

It said that "'injure' shall mean and include within this meaning any act tending to vex, annoy, harass, harm or expose any person to ridicule, contempt, hatred or disgrace."

That, sir, was the intent of the original bill. But somewhere along the line, although originally everyone in Massachusetts was included in the penalty under this bill, so that if guilty of this offence he could be sent to jail for a period of two years or fined \$1,000, or both, if the tapping of the wire was for the purpose of getting information concerning official matter or to injure another, in the final event that applied under the law to everyone, sir, except the telephone company or its agents. That is, the last section of House No. 1577 included this provision which is now section 102 of Chapter 272:

"This act shall not apply to a corporation subject to the jurisdiction of the Department of Public Utilities of this Commonwealth or to the jurisdiction of the Interstate Commerce Commission, nor shall it apply to the employees of any such corporation while engaged in the conduct of its business."

So that the only ones who under the law in Massachusetts can listen in on your phone or my phone, Mr. President, and get information concerning any official matter or information that will injure us are the New England Telephone Company and its employees. In closing, let me submit this to you. If they are sincere in their protestations that they do not listen in, they will not even make any effort to prevent this section 102 being stricken from chapter 272 of the General Laws of 1921. If they are not sincere, their position will undoubtedly be different. Now, Mr. President, if they had that section put in the law, why did they have it put in, and if they did not have it put there, why do they object to having it stricken out? My bill simply proposes to strike

out section 102 of chapter 272 of the Laws of 1921, so as to have the telephone company and its employees on a par with other people, other citizens of Massachusetts. I shall hand to the stenographer this record of what was done at the State House in regard to this matter and shall also ask that he include in the record sections 99, 100 and 101 and 102 of chapter 272 of the Laws of 1921.

(Chapter 272, Crimes against Chastity, Morality, Decency and Good Order.)

Section 99. Whoever, except when authorized by written permission of the attorney general of the commonwealth, or of the district attorney for the district, secretly overhears, or attempts to overhear, or to have any other person secretly overhear, any spoken words in any building by using a device commonly known as a dictagraph or dictaphone, or however otherwise described, or any similar device or arrangement, or by tapping any wire, with intent to procure information concerning any official matter or to injure another, shall be guilty of the crime of eavesdropping and shall be punished by imprisonment for not more than two years or by a fine of not more than one thousand dollars, or both.

Section 100. Whoever, except when authorized under the preceding section, either on his own account or as the servant or agent of another, permits or acquiesces in the installing of a device commonly known as a dictagraph or dictaphone or any similar device or arrangement, or the tapping of any wire, with intent to procure or knowing or intending that it will be used to procure information concerning any official matter or to injure another, shall be punished by imprisonment for not more than two years or by a fine of not more than one thousand dollars, or both.

Section 101. Proof of the installation in any building of any device or arrangement which may be used for the purpose of violating the provision of section ninety-nine of this act by listening to any spoken words or proof of the tapping of any wire, unless duly authorized and unless done with the consent of the owner or person in control of the building, shall be *prima facie* evidence of the commission of the crime of eavesdropping; but nothing contained in this or the two preceding sections shall render it unlawful for any person to install and use such a device on premises under his exclusive control.)

The record submitted by Coun. McGrath was as follows:

Wednesday, January 14, 1920. House, 59.

By Mr. Abbott of Haverhill, petition (accompanied by bill, House, No. 350) of Essex S. Abbott for legislation to define and punish the crime of eavesdropping.

Monday, January 19, 1920. Senate, 65.

Petition (accompanied by bill, House, No. 350) of Essex S. Abbott for legislation to define and punish the crime of eavesdropping.

Tuesday, February 3, 1920. House, 207.

By Mr. Abbott of Haverhill, for the joint committee on the judiciary, on a petition, a bill to define and punish the crime of eavesdropping (House, No. 350, changed in section 3 by inserting after the word "arrangement", in line 2, the words, "except a telephone").

Wednesday, February 4, 1920. House, 215.

To define and punish the crime of eavesdropping (House, No. 350, changed).

Monday, February 9, 1920. House, 235.

The bill to define and punish the crime of eavesdropping (House, No. 350, changed) was read a third time.

The Committee on Bills in the third reading reported recommending that the bill be amended, in section 4, by inserting after the word "words", in line 11, the words, "except a telephone"; and by striking out, in line 12, the word "telephone". These amendments were adopted.

Mr. Abbott of Haverhill moved that the bill be amended by adding at the end thereof the following: "Section 7. This act shall not apply to a corporation subject to the jurisdiction of the department of public utilities of this commonwealth or to the jurisdiction of the interstate commerce commission, nor shall it apply to the employees of any such corporation while engaged in the conduct of its business."



Mr. Bradbury of Lawrence moved that the further consideration of the bill be postponed until the next session; and this motion, after debate, was negative, by a vote of 22 to 44.

Mr. Bradbury raised the point of order that a quorum was not present. A count of the House showed that 143 members were present.

The amendment moved by Mr. Abbott was then adopted.

After further debate Mr. Martin Hays of Boston moved that the bill be recommitted to the joint committee on the Judiciary; and this motion prevailed.

Monday, April 12, 1920. House, 729.

By Mr. Abbott of Haverhill, for the joint committee on the Judiciary, that the bill (recommitted) to define and punish the crime of eavesdropping (House, No. 350, changed and amended) ought to pass in a new draft with the same title (House, No. 1577).

Tuesday, April 13, 1920. House, 747.

The bill to define and punish the crime of eavesdropping (House, No. 1577) was read a second time.

Mr. Lane of Boston moved that the further consideration of the bill be postponed until after the disposition of the remaining matters in the orders of the day; and after debate this motion was negative.

After further debate the bill was ordered to a third reading.

Friday, April 16, 1920. House, 779.

The bill to define and punish the crime of eavesdropping (House, No. 1577) was read a third time.

Mr. Abbott of Haverhill moved that the bill be amended, in section 3, by inserting before the word "listening", in line 3, the words "violating the provisions of section one of this act by".

After debate (Mr. Young of Weston being in the chair) Mr. Lane of Boston moved that the bill be amended by adding at the end of section 3 the words "; but nothing herein contained shall render it unlawful for any person to install and use such device on premises under his exclusive control".

The amendments were severally adopted; and the bill, as amended, was then passed to be engrossed, by a vote of 87 to 21. Sent up for concurrence.

Wednesday, April 21, 1920. Senate, 635.

To define and punish the crime of eavesdropping (House, No. 1577, amended,—on the petition of Essex S. Abbott, accompanied by bill, House, No. 350).

Thursday, April 22, 1920. Senate, 653.

To define and punish the crime of eavesdropping (House, No. 1577, amended).

Friday, May 7, 1920. Senate, 735.

The House Bill to define and punish the crime of eavesdropping (House, No. 1577, amended),—was read a third time.

Mr. Donovan, for the Committee on Bills in the third reading, reported, recommending that the bill be amended as follows:

In section 1, by striking out, in line 9, the word "divulge", and inserting in place thereof the word "procure"; and by inserting after the word "be", in line 10, the words "guilty of the crime of eavesdropping and shall be"; and

In section 2, by striking out, in line 6, the word "divulge", and inserting in place thereof the words "procure or knowing or intending that it will be used to procure".

Mr. Weston moved that the bill be amended by adding the following new section:

"Section 6. It will constitute a complete defense to any indictment hereunder that the act complained of was done for the purpose of apprehending the commission of criminal acts and with reasonable cause to believe that the commission of crime could be thereby apprehended."

Pending these amendments and pending the main question on passing the bill to be engrossed, in concurrence, the further consideration thereof was postponed until the next session, on motion of Mr. Weston.

Monday, May 10, 1920. Senate, 743.

The House Bill to define and punish the crime of eavesdropping (House, No. 1577, amended),—

was considered, the main question being on passing it to be engrossed, in concurrence.

The Senate adopted the following pending amendments, previously recommended by the Committee on Bills in the third reading:

In section 1, striking out, in line 9, the word "divulge", and inserting in place thereof the word "procure"; and inserting after the word "be", in line 10, the words "guilty of the crime of eavesdropping and shall be"; and

In section 2, striking out, in line 6, the word "divulge", and inserting in place thereof the words "procure or knowing or intending that it will be used to procure".

The Senate rejected the pending amendment, previously moved by Mr. Weston,—adding the following new section:

"Section 6. It will constitute a complete defense to any indictment hereunder that the act complained of was done for the purpose of apprehending the commission of criminal acts and with reasonable cause to believe that the commission of crime could be thereby apprehended."

The bill was then passed to be engrossed, in concurrence, with the amendments, which were sent down for concurrence.

Tuesday, May 11, 1920. House, 939.

The House Bill to define and punish the crime of eavesdropping (House, No. 1577, amended) came down passed to be engrossed, in concurrence, with the following amendments:—

In section 1, striking out, in line 9, the word "divulge", and inserting in place thereof the word "procure"; and inserting after the word "be", in line 10, the words "guilty of the crime of eavesdropping and shall be"; and

In section 2, striking out, in line 6, the word "divulge", and inserting in place thereof the words "procure or knowing or intending that it will be used to procure".

Placed in the orders of the day for the next session, the question being on concurring with the Senate in the amendment.

Thursday, May 13, 1920. House, 953.

The Senate amendments of the House Bill to define and punish the crime of eavesdropping (House, No. 1577, amended) were adopted, in concurrence.

Thursday, May 27, 1920. Senate, 867.

Engrossed bills:

To define and punish the crime of eavesdropping.

Thursday, May 27, 1920. House, 1071.

To define and punish the crime of eavesdropping.

The order was passed under suspension of the rule.

Coun. DOWD in the chair.

#### THE NEXT MEETING.

On motion of Coun. KEENE, it was voted that when the Council adjourn it be to meet on Monday, February 28, at 2 p. m.

#### PRICES CHARGED AT HEAD HOUSE, SOUTH BOSTON.

Coun. MAHONEY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to investigate and report relative to the charges or rumors to the effect that the lessee of the Head House, South Boston, is charging exorbitant prices for food, etc., under his concession privilege.

Passed under suspension of the rule.

#### CHANDLER POND, BRIGHTON.

President HEFFERNAN offered the following:

Ordered, That the City Planning Board be requested, through his Honor the Mayor, to investigate and report to the City Council the advisability of the City of Boston taking over Chandler pond, Brighton, for park purposes.

Passed under suspension of the rule.



## METROPOLITAN DISTRICT MEETING.

President HEFFERNAN offered the following: Ordered, That the Committee on Greater Boston of the Boston City Council be requested to conduct a meeting, to which shall be invited three delegates from each city and town within the metropolitan district, for the purpose of discussing the problems incident to, and of devising ways and means for creating a new governing body to govern said metropolitan district on all metropolitan questions.

Coun. HEFFERNAN—Mr. Chairman, I offer this order for the simple reason that, although I think most of us believe in a greater Boston, as far as I can see in the last few years there has been a good deal of talk and no definite action. We have a committee of this Council known as the Committee on Greater Boston. I do not believe that in the last year the committee has functioned to any great extent, but it strikes me that here is a wonderful opportunity for the City Council through its committee to hold out the open hand to the cities and towns throughout the metropolitan district, having each of them send in three delegates to a convention meeting for the purpose of discussing ways and means of creating a new greater Boston, not in the sense that individual cities and towns will lose their identity, because I do not believe the municipalities around Boston should lose their individuality so far as dealing with their local interests is concerned. But we all know that with the great growth of Boston of late years the questions of widening and extending highways, of transportation, of different problems interesting Brookline, Newton and the other cities just as much as Boston, have been very greatly in evidence. In the past we have been governed to a great extent by commissions in metropolitan matters. The Legislature has seen fit to create a metropolitan sewer board, a metropolitan park department, a metropolitan water board. We have had board after board created involving what is really a greater Boston proposition, such matters having been handled by commissions appointed at the State House. I think if this Council sees fit to invite in representatives of these cities and towns, the meeting that we have may be of a great deal of importance and value. The representatives of these municipalities will have ideas of their own, on which we will be willing to go part way at least, the same as we will have ideas of our own in which they can help. I think we should take steps to bring them in here and start something in the line of a method of dealing with

Greater Boston, municipal Boston activities, on matters of metropolitan importance alone and, therefore, I hope the order will be passed under suspension of the rule.

The order was passed under suspension of the rule.

President HEFFERNAN in the chair.

## INDORSEMENT OF HOUSE BILL NO. 836.

Coun. ENGLERT for Coun. Freely offered the following:

Resolved, That the City Council of Boston favors the passage by the General Court of Massachusetts of "An Act providing for the Apportionment of the Charges and Expenses of the County of Suffolk among the Cities of Boston, Chelsea and Revere and the Town of Winthrop," known as House No. 836.

Referred, on motion of Coun. GUILD, to the Committee on Legislative Matters.

## COMMITTEE APPOINTMENT AND CHANGES.

President HEFFERNAN—The Chair wishes to announce as the new committee appointed under the order introduced by Coun. Wilson, in reference to the Shawmut Branch, Coun. Wilson, Gilbody, Ruby, McMahon and McGrath. The Chair also wishes to announce that Coun. Ruby is to be appointed in place of Coun. Dowd on the Committee on Inspection of Prisons, and Coun. Dowd is to be appointed in place of Coun. Ruby on the Committee on Jitneys. The Chair also wishes to announce that Coun. Dowd is to replace Coun. Ward as chairman of the Committee on Parks and Playgrounds.

## GENERAL RECONSIDERATION.

On motion of Coun. DOWLING, the Council refused a general reconsideration of all action taken today.

Adjourned, on motion of Coun. PARKMAN, at 4.17 p. m., to meet on Monday, February 28, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, February 28, 1927.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President HEFFERNAN in the chair and all the members present.

## APPOINTMENTS BY THE MAYOR.

Subject to approval by the Council his Honor the Mayor submitted appointments for the term ending April 30, 1927, as follows:

Weighters of Goods: David Wright, 38 Illinois avenue, Somerville, Youlden, Smith & Hopkins; J. J. Sweeney, 1826 Columbia road, South Boston, for his own business.

Weighters of Coal: Helen M. Hamilton, 51 Sawyer avenue, Dorchester, for New England Ice Company.

Constables: William J. Weyand, 7 Leonard street, Dorchester; Leo Bass, 363 Walnut avenue, Roxbury.

Severally laid over for a week under the law.

## SECTION 102, CHAPTER 272.

The following was received:

City of Boston,  
Office of the Mayor, February 28, 1927.  
To the City Council.

Gentlemen,—I return herewith, without my approval, the order passed by your honorable body for legislation to strike out section 102 of chapter 272 of the General Laws of 1921, as I am advised by the Corporation Counsel that there is sufficient legislation to take care of the situation presented by this order.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

## VETOES BY THE MAYOR.

The following was received:

City of Boston,  
Office of the Mayor, February 17, 1927.  
To the City Council.

Gentlemen,—Referring to the following resolutions:

1. Favoring legislation authorizing the City of Boston to borrow money for improvement of playground situated at Medford and Chelsea streets in the Charlestown district.

2. Favoring legislation authorizing the City of Boston to borrow money for purchase of site and erection of municipal building in the Charlestown district.

I would refer to Joint Rule 7B of the Legislature which requires the specific approval of the Mayor and the City Council and I am unwilling to approve these matters and hereby return them without my signature.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

## VETO OF LEAVE OF ABSENCE.

The following was received:

City of Boston,  
Office of the Mayor, February 18, 1927.  
To the City Council.

Gentlemen,—I return herewith, without my approval, an order of your honorable body which authorizes the granting of leave of absence without loss of pay for thirty days to veterans of the World War.

This order confers no additional grant of power upon the Mayor. Nevertheless, by providing for an unprecedented number of cases, it raises a question which heretofore has not been raised, the

power of the public to grant leave of absence without loss of pay. This power has not been questioned until now.

Carrying out this order, moreover, would seriously interfere with the public service. In the Fire Department, for instance, out of 1,600 men, 500 would be entitled to the privileges contemplated by the order. The order really causes injury to the present custom of granting leaves of absence, and adversely affects the public service.

For these reasons, I am unable to extend to it my approval.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Coun. DOWD—Mr. President, I simply want to have that message from the Mayor, refusing a thirty-day period of leave of absence to World War veterans, referred to the Executive Committee, and I would suggest to his Honor the Mayor that it was only last week that Governor Fuller saw fit to give to all state employees who were World War veterans this same length of time to attend the convention in Paris. I believe that the City of Boston should be just as big as the State of Massachusetts in treatment of its veterans, and I see no reason why, when the Governor of Massachusetts has seen fit to grant the thirty days' leave of absence to state employees to attend this convention, the Mayor of Boston should refuse that privilege to veterans who are in the employ of the City of Boston. I move reference of the matter to the Executive Committee.

The matter was referred to the Executive Committee.

## SALE OF JUNK, FIRE DEPARTMENT.

The following was received:

City of Boston,  
Office of the Mayor, February 25, 1927.  
To the City Council.

Gentlemen,—I am herewith transmitting a communication from the Fire Commissioner relative to the sale of a quantity of junk, the property of the Fire Department, and I recommend the passage of the accompanying order.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Fire Department, February 23, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—This department has on hand approximately four tons of old lead cable and approximately one ton of old iron in the Fire Alarm Shop.

As this old material is worth more than five hundred dollars, I request that permission be obtained from the City Council to sell it.

Yours very truly,  
E. C. HULTMAN,  
Fire Commissioner.

Ordered, That the Fire Commissioner be and hereby is authorized to sell, after public advertisement, a quantity of junk belonging to the Fire Department, comprising old lead cable and old iron, valued at over five hundred dollars.

Referred to the Executive Committee.

## CONTRACTS OF SUPPLY DEPARTMENT.

The following was received:

City of Boston,  
Office of the Mayor, February 17, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Law Department in reply to your order of January 24, 1927, relative to Article 10 in contracts of Supply Department.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston  
Law Department, February 12, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—The City Council has requested, through your Honor, to be advised by this department whether

"Article 10 of the provisions of contract of the Supply Department of the City of Boston which



specifies that no contract can be made with any individual who is not a citizen of the United States, or any corporation or legal association wherein the controlling interest is not held by citizens of the United States, would allow an individual, corporation or association who met with these requirements, upon receiving an award of contract to sublet it to some other individual who or corporation or association which did not comply with Article 10 of the specifications."

I assume that the Council refers to the provisions of sections 13 and 19 inclusive of chapter 40, Revised Ordinances of 1925. I cannot confine myself to Article 10 of the Supply Department contracts in view of the fact that there are so many different types of contracts issued by the Supply Department, the articles in which are numbered differently in various contracts.

Section 13, chapter 40, Revised Ordinances of 1925, provides

"No contract shall be made by the city except with,

(a) individual citizens of the United States;  
(b) corporations or other legal associations wherein the controlling interest to the extent of at least over one-half thereof is owned by a citizen or citizens of the United States."

Section 14 of this chapter provides:

"No person other than a citizen of the United States shall be employed on any public work being done by,

(a) the city of Boston;  
(b) any contractor with the city of Boston;  
(c) any subcontractor with such contractor; except that persons not such citizens may be employed in the manner and under the conditions set forth in the following section."

If, therefore, when the contract for the purchase of supplies is entered into between the city and the contractor, the latter is a citizen or if the contractor is a corporation, and clause (b) of section 13 has been complied with, the ordinance has been complied with. The fact that the contractor secures the supplies in question from another individual who is not a citizen of the United States does not violate section 13 which makes no reference to such a situation.

Section 14 is not applicable to supply contracts. It merely restricts the city contractor and his or its subcontractors to the employment of citizens when engaged in performing any public work, such as constructing a street or a building, laying of water or sewer pipes, etc. There is nothing in section 14 that has any application to the purchasing of supplies by the city.

I find no provision in any of the sections 13 to 19, inclusive, which requires a contractor who is a citizen of the United States and who has made a contract with the Supply Department of the City of Boston to purchase any of the supplies necessary to complete his contract from only citizens of the United States. Section 13 has been complied with when the city makes a contract with a contractor who is a citizen or with a corporation wherein the controlling interest to the extent of at least one half thereof is owned by a citizen or citizens of the United States.

Yours very truly,  
FRANK S. DELAND,  
Corporation Counsel.

Placed on file.

#### LEGISLATION RELATIVE TO CITY.

The following was received:

City of Boston,  
Office of the Mayor, February 18, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Law Department in reply to your order of February 7, 1927, relative to forwarding to the City Council copies of bills and resolutions relating to the City of Boston filed with the Massachusetts Legislature of 1927.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Law Department, February 16, 1927.  
Hon. Malcolm E. Nichols, Mayor of Boston.

Dear Sir,—I am in receipt of the order of the City Council, passed February 7, 1927, in which the Council asks, through Your honor, that the Corporation Counsel comply with a previous order of the Council dated November 29, 1926, wherein

the Council sought, through this office, copies of all bills and resolutions relating to the City of Boston filed with the Massachusetts Legislature of 1927.

I desire to inform the Council that this office is eager to accommodate it and extend it every courtesy by complying with its requests for information when sought from this office. I have not forwarded copies of the bills filed which relate to the City of Boston because of the fact that many of them have not as yet been printed by the Legislature, and upon my receipt from the Legislative Counsel for the City of Boston of printed copies I will be glad to forward them to the City Council. The City Council no doubt appreciates that there are probably several hundred bills filed by various interests which affect the City of Boston, including those filed by this office on behalf of the city government. Whether bills filed affect the city government cannot be determined until they have been carefully examined after having been printed.

Very truly yours,  
FRANK S. DELAND,  
Corporation Counsel.

Placed on file.

#### BRANCH LIBRARY, HEATH SQUARE.

The following was received:

City of Boston,  
Office of the Mayor, February 23, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Library Department in reply to your order of February 7, 1927, relative to locating and maintaining a branch library and reading room at Heath square, Roxbury.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Library Department, February 21, 1927.  
Mrs. Ida Hibbard, Assistant Secretary, Office of the Mayor.

Dear Mrs. Hibbard,—The order introduced in the City Council by Mr. Freeley on February 7 relating to the establishment of a branch library at Heath square, corner of Parker and Heath streets, Roxbury, was submitted to the Board of Trustees at their regular meeting held on Friday last.

I have been directed by the Board to assure Mr. Freeley that every consideration will be given to his request in connection with other requests that have been made for the establishment of branch libraries in other sections of the city. A committee of the trustees and a subcommittee of the Examining Committee of the Library have been appointed to co-operate with the library officials in the study of the need and placement for additional branch libraries.

Sincerely yours,  
CHARLES BELDEN, Director.

Placed on file.

#### BRANCH LIBRARY, REFECTORY BUILDING.

The following was received:

City of Boston,  
Office of the Mayor, February 23, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Library Department replying to your order of February 14, 1927, relative to establishing a branch library in the Refectory Building at Franklin Park.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Library Department, February 21, 1927.  
Mrs. Ida Hibbard, Assistant Secretary, Office of the Mayor.

Dear Mrs. Hibbard,—The order introduced in the City Council by Mr. Ruby on February 14 relating to the establishment of a branch library in the Refectory Building at Franklin Park was submitted to the Board of Trustees at their regular meeting held on Friday last.

I have been directed by the Board to assure Mr. Ruby that every consideration will be given to his request in connection with other requests that have been made for the establishment of branch libraries in other sections of the city. A

committee of the trustees and a subcommittee of the Examining Committee of the Library have been appointed to co-operate with the library officials in the study of the need and placement for additional branch libraries.

Sincerely yours,  
CHARLES BELDEN, Director.

Placed on file.

#### BRANCH LIBRARY, DAY SQUARE.

The following was received:

City of Boston,  
Office of the Mayor, February 23, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Library Department in reply to your order of February 7 relative to locating and maintaining a branch library and reading room at Day square, East Boston.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Library Department, February 21, 1927.

Mrs. Ida Hibbard, Assistant Secretary, Office of the Mayor.

Dear Mrs. Hibbard,—The order introduced in the City Council by Mr. Donovan on February 7 relating to the establishment of a branch library at Day square, East Boston, Ward 1, was submitted to the Board of Trustees at their regular meeting held on February last.

I have been directed by the Board to assure Mr. Donovan that every consideration will be given to his request in connection with other requests that have been made for the establishment of branch libraries in other sections of the city. A committee of the trustees and a subcommittee of the Examining Committee of the library have been appointed to co-operate with the library officials in the study of the need and placement for additional branch libraries.

Sincerely yours,  
CHARLES BELDEN, Director.

Placed on file.

#### TRANSFER OF LAND NEAR LEVERETT STREET.

The following was received:

City of Boston,  
Office of the Mayor, February 21, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of December 13, 1926, relative to possible transfer to the City of Boston of land of the Commonwealth bounded by Craigie Bridge, Leverett street and land of the Boston and Maine Railroad.

Very respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, January 24, 1927.  
Mrs. Ida Hibbard, Assistant Secretary, Office of the Mayor.

Dear Madam,—Further, in relation to order of Councilor John I. Fitzgerald relative to the possible transfer to the City of Boston of land of the Commonwealth bounded by Craigie Bridge, Leverett street and land of the Boston and Maine Railroad, I am this day in receipt of a letter from George Lyman Rogers, secretary of the Metropolitan District Commission, in answer to my letter of December 18, in which he states that the "commission feels that the land in question is very likely to be needed in the future for possible developments of its work in connection with the maintenance of Charles River dam or otherwise, and that the site is of too great value to use for playground purposes."

Very truly yours,  
WILLIAM P. LONG,  
Chairman.

Placed on file.

#### COST OF GYMNASIUM, C STREET AND BROADWAY.

The following was received:

City of Boston,  
Office of the Mayor, February 17, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of February 7, 1927, relative to estimated cost of constructing a suitable building at corner of C street and Broadway for gymnasium, shower baths, lockers and swimming pool.

Yours truly,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, February 16, 1927.  
Mrs. Ida Hibbard, Assistant Secretary, Office of the Mayor.

Dear Mrs. Hibbard,—I have your memorandum of February 14, with enclosure, order from the City Council, requesting an estimate as to the cost of constructing a suitable building on land owned by the city at the corner of C street and Broadway, said building to contain a gymnasium, shower baths, lockers and swimming pool.

In reply I desire to say that \$350,000 will be required for a building of this nature.

Very truly yours,  
WILLIAM P. LONG,  
Chairman.

Placed on file.

#### REPAIRING OF BRIDGE, MARINE PARK.

The following was received:

City of Boston,  
Office of the Mayor, February 21, 1927.  
To the City Council.

I transmit herewith a communication from the Park Department in reply to your order of February 14, 1927, relative to necessary repairs to bridge between Marine Park and Castle Island.

Very respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, February 18, 1927.  
Mrs. Ida A. Hibbard, Assistant Secretary, Office of the Mayor.

Dear Madam,—I have your memorandum of February 16, with inclosure, order from the City Council, that the Park Commission be requested to make necessary repairs to the bridge between Marine Park and Castle Island in order to insure the safety of the public during the coming season.

In reply I desire to say that the Park Commissioners built a causeway from the mainland to Castle Island. It is the intention to demolish the bridge in the near future as soon as this causeway is put in proper condition which will be before the opening of the summer season.

Very truly yours,  
WILLIAM P. LONG,  
Chairman.

Placed on file.

#### PRICES CHARGED AT HEAD HOUSE.

The following was received:

City of Boston,  
Office of the Mayor, February 21, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of February 14, 1927, in relation to request and report on matter of lessee of head house, South Boston, charging exorbitant prices for food, etc.

Very respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, February 18, 1927.  
Mrs. Ida Hibbard, Assistant Secretary, Office of the Mayor.

Dear Mrs. Hibbard,—I have your memorandum of February 16, with enclosure, order from the City Council, requesting the Park Commission to investigate and report relative to the charges or rumors that the lessee of the head house, South Boston, was charging exorbitant prices for food, etc.

In reply I desire to say that the head house at the present time is closed and will not be opened



until on or about May 15. At that time a list of the prices will be submitted to the City Council.

Very truly yours,  
WILLIAM P. LONG,  
Chairman.

Placed on file

#### IMPROVEMENT OF ORCHARD PARK.

The following was received:

City of Boston,  
Office of the Mayor, February 21, 1927.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of February 14 requesting that the sum of \$5,000 be used in improvement of Orchard Park, Roxbury, and charged against the income of the Parkman Fund.

Very respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, February 18, 1927.  
Mrs. Ida Hibbard, Assistant Secretary, Office of the Mayor.

Dear Mrs. Hibbard,—I have your memorandum of February 16, with inclosure, order of the City Council, requesting the Park Department to expend the sum of \$5,000 in improving Orchard Park, Roxbury, same to be charged to the income of the Parkman Fund.

In reply I desire to say that I will be pleased to recommend same to his Honor the Mayor when submitting a list of improvements on the various parks, from the next income of the Parkman Fund.

Very truly yours,  
WILLIAM P. LONG,  
Chairman.

Placed on file.

#### UNEMPLOYMENT CONDITIONS.

The following was received:

City of Boston,  
Office of the Mayor, February 28, 1927.  
To the City Council.

Gentlemen,—On Friday of last week a committee of your honorable body, introduced to me as the "Committee on Unemployment," did me the honor of paying me an official visit upon the subject of finding work for the unemployed.

I recognize the problem of unemployment as a public question of extreme importance, although your committee appears to be appointed with such informality as to give it no legal status as a committee of the City Council. The Council had already passed an order requesting the Mayor to inform the Council if there was any public work upon which the unemployed could be given employment, and my communication to you consequently deals not only with the conference with your committee, but with the order and its beneficent purpose.

The recent severe snow storm presented the need of public work by which the unemployed could be assisted, and I therefore instructed the Commissioner of Public Works to give work to as large a force as could conveniently be banded consistent with public economy, and this was done.

You will bear in mind that the labor service of the Public Works Department has been fully maintained on account of the importance of street work. It is also a fact that there has been opportunity this year to give a great deal of temporary work.

I told your committee that my record on the unemployment situation had always been sympathetic; that while chairman of the Transit Commission, upon my suggestion, the Maverick Square Terminal had been started upon the understanding that day labor and not contract labor was to be hired. As a result of this foresight it was possible to give employment to over 2,000 men.

If it were possible to proceed by day labor with the construction of the Governor Square Subway, provision could be made for nearly 2,000 men. The Park Department of the city has various projects coming along which will provide for 750 men.

In a limited way a great deal is being done to relieve the unemployment situation. It does not seem to me that a committee of the City Council

either has any power or is especially well adapted to the purpose of relieving unemployment, even if its efforts were well directed, which is not the present case.

The Municipal Employment Bureau records shows that since January 1, 1926, almost, 10,000 jobs have been secured.

I have been informed that an effort is to be made to cut the pending city budget on the ground that many employees should be discharged. The discharge of faithful and efficient city employees solely on the ground of reducing the cost of pay rolls not only is false economy, but is unworthy of decent government, and in addition, no relief to your employment situation.

During the conference with your committee I began to wonder if its functions had not been directed in such a manner as to raise a doubt whether its activity really had much to do with the subject of unemployment. Afterwards I obtained from your Clerk of Committees the names of persons and firms called upon to appear before it, and found that the committee had, with but two exceptions, turned its attention to city contractors. One exception was the New England Telephone and Telegraph Company, charged by a member of your committee with wire tapping and eavesdropping.

The other exception was that of my brother whose invitation had so little to do with the subject of unemployment that it would be ludicrous were it not for the cowardly, contemptible and vicious attack made upon him by the same member of your committee.

The mildest comment that could be made upon this procedure would be to call it a waste of time. City contractors are bound by the terms of their agreements with the city, hire all the men that they need for the purpose of the city work which they must do, and cannot be forced to expand their activities to an extent that would meet the requirements of a public question of such far-reaching importance as unemployment.

Your committee has to a very considerable extent devoted its attention to city contractors, and the employment of their men. These are matters which are outside the scope of the authority of your body. They come dangerously being within the restrictions of the city charter which reads in section 8 as follows:

"Neither the City Council, nor any member or committee, officer, or employee thereof shall, except as otherwise provided in this act, directly or indirectly on behalf of the City or of the County of Suffolk take part in the employment of labor, the making of contracts, the purchase of materials, supplies or real estate; nor in the construction, alteration, or repair of any public works, buildings, or other property; nor in the care, custody and management of the same; nor in the conduct of the executive or administrative business of the city or county; nor in the appointment or removal of any municipal or county employee; nor in the expenditure of public money except such as may be necessary for the contingent and incidental expenses of the city council. The provisions of this section shall not affect the powers or duties of the city council as the successor of the present board of aldermen relative to state or military aid and soldiers relief."

"A violation of any provision of this section shall render the contract in respect to which such violation occurs voidable at the option of the city or county. Any person violating the provisions of this section shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year or both. Chapter five hundred and twenty-two of the acts of the year nineteen hundred and eight is hereby repealed."

By the foregoing provisions of law you will see that with the making of city contracts and the enforcement of them, and with the employment of labor, you have nothing to do, as it is an executive function.

Therefore, any committee acting under the authority of your honorable body ought to exercise due care not to pass beyond the bounds of your authority.

Never in the history of the city has there been performed more effective municipal services upon the streets, and during the difficult months of the winter, upon the removal of snow and of ashes and garbage. These are services which I promised to your constituents. I have tried my best to keep this promise, and I want you to help me do so.



In awarding contracts, heads of departments have invariably been told by the Mayor to recommend the best contractor at the most reasonable price and to follow the charter which indicates the lowest responsible bidder. It is my opinion that the procedure instituted by your committee is wholly illegal, and I therefore earnestly request your honorable body to have its committee on unemployment undertake no activity which might tend toward interference with the executive work of the city.

Please be assured that this communication is addressed to you only in a spirit of good will and co-operation which has heretofore existed between the two branches and which I have no reason to doubt will continue.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Referred to the Executive Committee, on motion of Coun. WARD.

#### PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

##### Claims.

Merton Bennett, for compensation for damage to automobile by city truck.

Fannie Berner, for compensation for injuries caused by an alleged defect at 151 Harvard street.

Mary Bishop, for compensation for damage to property at 140 Pleasant street, caused by snow plow.

C. S. Bourgeois & Son, for compensation for damage to truck by city truck.

Mrs. Giovina Cipriano, for compensation for injuries caused by an alleged defect in La Grange street, West Roxbury.

Philip C. Cleary, for compensation for injuries caused by an alleged defect at Charles and Beacon streets.

May Cohen, for compensation for injuries caused by an alleged defect at 66 Poplar street, Boston.

Coleman Disposal Company, for compensation for damage to truck caused by city truck No. 104.

Crystal Coal and Wood Company, for compensation for damage to truck by city truck.

Margaret H. Devine, for compensation for injuries caused by ice from pole on sidewalk at corner of Broadway and F street.

Charles A. Drew, for compensation for injuries caused by an alleged defect in Brattle street.

Patrick T. Duggan, for compensation for window broken by truck.

Abraham Factor, for compensation for injuries caused by an alleged defect at 995 Blue Hill avenue.

R. A. Fash, for compensation for damage to wagon caused by an alleged defect at City square, Charlestown.

Maria A. Glennon, for compensation for damage to property at 34 and 36 Conant street, caused by break in water pipe.

Abraham Glovinsky, for compensation for damage to automobile by city wagon.

Harry Goodman, for compensation for injuries caused by an alleged defect in Chickering place and Washington street.

Nellie L. Guard, for compensation for injuries caused by defective hydrant cover at corner of Stuart and Tremont streets.

George G. Hall Company, Inc., for refund on water bill.

Mary E. T. Healy, for compensation for damage to property at 112 Cedar street, caused by falling tree.

Huylers', for refund on refuse tickets.

Harry S. Liner, for compensation for damage to property at 192 Lamartine street, caused by Public Works Department truck.

Margaret E. McKenna, for compensation for damage to automobile caused by an alleged defect at Austin and McGee streets.

Monk's Laundry Company, for compensation for damage to truck by sanitary truck.

Leo J. O'Brien, for compensation for injuries caused by an alleged defect at 403 West Fourth street, South Boston.

Peoples' Baptist Church, Inc., for compensation for damage to property by ash truck.

Pomeroy Company, for refund on refuse tickets. Queensberry Realty Company, to be reimbursed for laying sidewalk at 59 Queensberry street.

Edward Sawyer, for compensation for damage to automobile by city truck.

John R. Sawyer, for compensation for damage to stock at 367 Centre street, Jamaica Plain, caused by leak in water pipe.

Rose Sheinfein, for compensation for injuries caused by an alleged defect at 714 Blue Hill avenue.

Mrs. Tillie Silver, for compensation for injuries caused by an alleged defect at 207 Chamber street.

Rose Silverstein *et al.*, for compensation for damage to property at 175 Chamber street, caused by leak in hydrant.

Mrs. Flora Smith, for compensation for injuries caused by an alleged defect in West Newton street.

James Strahone, for compensation for damage to property at 480 Commercial street, caused by break in water pipe.

Edward F. Welch, for compensation for damage to automobile by city truck.

Rae L. Yoffe, for compensation for injuries caused by an alleged defect at 10 McLean street.

Max B. Horowitz, for compensation for damage to automobile by city car.

Michael Aspro, for compensation for damage to automobile by city truck.

Felix Slick, for compensation for damage to property at 127 Marcella street, Roxbury, caused by ash truck.

##### Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Mrs. N. A. Gienier, Grover Cleveland School, February 28.

D. A. MacQuarrie, St. Mary's Hall, February 28-March 1.

#### PAY ROLL, REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds for the period from January 17 to February 12, 1927, amounting to \$12,812.87, was received and approved.

#### TRAFFIC OFFICER AT WASHINGTON AND PARK STREETS.

The following was received:

City of Boston,

Police Department, February 18, 1927.

W. J. Doyle,

Assistant City Clerk.

Dear Sir,—In connection with the order of the City Council relative to placing a traffic officer at the intersection of Washington and Park streets, Dorchester, at opening and closing school hours, for the safety of school children, including pupils attending the Lucy Stone School for backward or mentally deficient children, I beg to forward herewith copy of report of the commanding officer of Division 11.

Yours respectfully,

HERBERT A. WILSON,  
Police Commissioner.

City of Boston,

Police Department, February 17, 1927.

Michael H. Crowley,

Superintendent of Police.

Sir,—With reference to the inclosed communication regarding the placing of an officer at the crossing at Park and Washington streets, Dorchester, I respectfully report that for a long time there has been an officer on the above crossing four times a day.

The children who attend the Lucy Stone School get out at 2.30 p. m. and there has been no officer on the crossing at this time, but arrangements have been made to have an officer there at this time to take care of the children when they are leaving the school. The officer has been on this crossing to care for children coming and going from the Florence Nightingale School on West Park street, which is in Division 19, and has cared for children going to the Lucy Stone School at 8.30 a. m. but not at 2.30 p. m.

Respectfully submitted,

MATTHEW J. DAILEY,  
Captain, Division 11.

Placed on file.

#### APPOINTMENT OF RAILROAD POLICE OFFICER.

Notice was received from the Boston and Albany Railroad of appointment of Harry P. McLaughlin

as railroad police officer by town of Ashland, also that the New York Central Railroad Company has ceased to require the services of George L. Fortin, George F. Lewis, Joseph H. Moore and Benjamin Bennett.  
Placed on file.

#### APPROVAL OF APPOINTMENT.

Notice was received from the Commissioners of Civil Service of approval of appointment of John Harleston Parker of 173 Commonwealth avenue as member of Art Commission.  
Placed on file.

#### COMMUNICATION FROM FINANCE COMMISSION.

The following was received:

The Finance Commission,  
Boston, February 16, 1927.

Mr. Wilfred J. Doyle,  
Assistant City Clerk,

Dear Sir,—In answer to the order of the City Council, passed on February 7, requesting the Finance Commission to forward to the City Council copies of all bills and resolutions relating to the City of Boston filed with the Massachusetts Legislature of 1927, the commission begs to state that it filed with you on December 6, 1926, copies of the bills which it had submitted to the Legislature.

Yours very truly,  
CHARLES L. CARR, Chairman.

Placed on file.

#### CONSTABLES' BONDS.

The constables' bonds of Joseph S. Halbert, Dennis J. Collins, Louis Cohen and Theodore R. Bernson, having been duly approved by the City Treasurer, were received and approved.

#### CONFIRMATION OF EXECUTIVE APPOINTMENT.

President HEFFERNAN called up No. 1, under unfinished business, viz.:

Action on appointment submitted by the Mayor February 14, 1927, of Christopher B. Kennedy, to be a weigher of goods.

The question came on confirmation. Committee, Coun. Donovan and Dowling. Whole number of ballots 18, and the appointment was confirmed, yeas 18, nays 0.

#### LOAN FOR MAKING OF HIGHWAYS.

President HEFFERNAN, under unfinished business, called up No. 2 on the calendar, viz.:

2. Ordered, That the sum of \$1,000,000 be and hereby is appropriated for Highways, Making of, under the provisions of chapter 393 of the Acts of 1906, and that to meet said appropriation the treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On February 14, 1927, the foregoing order was read once and passed, yeas 18, nays 0.

The order was given its second reading and passage, yeas 20, nays 0.

#### LOAN FOR SEWERAGE WORKS.

President HEFFERNAN, under unfinished business, called up No. 3 on the calendar, viz.:

3. Ordered, That under the provisions of chapter 426 of the Acts of 1897, as amended by chapter 204 of the Acts of 1908, the sum of \$1,000,000 be and hereby is appropriated to be expended under the direction of the Commissioner of Public Works for sewerage works, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On February 14, 1927, the foregoing order was read once and passed, yeas 18, nays 0.

The order was given its second reading and passage, yeas 20, nays 0.

#### LEASE TO JAMES F. MAHONEY POST.

President HEFFERNAN called up, under unfinished business, No. 4 on the calendar, viz.:

(4) Ordered, That his Honor the Mayor be and he hereby is authorized and empowered in the name and behalf of the City of Boston, for the consideration of one dollar per year, and in a form satisfactory to the Law Department, to execute and deliver to the James F. Mahoney Roxbury Post, Veterans of Foreign Wars, No. 457, a lease of the building commonly known as the Elmwood Street Gymnasium, situate on Elmwood street, in the Roxbury district of Boston, formerly used as gymnasium, said lease to run for a term of five years beginning November 1, 1926, the premises to be used for post headquarters by the said post. The said lease may be canceled by the lessor at any time by a written notice of not less than ninety days given by the Mayor or Superintendent of Public Buildings of said city, by mail, addressed to the commander of said post or to said lessee at said building. The lessee shall at its cost and expense keep the building in good condition and repair, both inside and outside; shall heat and light the same and shall pay all water rates therefor.

On February 14, 1927, the foregoing order was read once and passed, yeas 19, nays 0.

The order was given its second reading and passage yeas 21, nays 0.

#### BOYLSTON STREET, WARD 19.

Coun. GUILD offered the following:

Ordered, That the Street Laying-Out Department be requested, through his Honor the Mayor, to relocate the northerly side line of Boylston street, in Ward 19, opposite the junction of Burr street in said ward, by taking such land on the northerly side of Boylston street as will make said Boylston street a uniform width of about forty feet.

Passed, under suspension of the rule.

#### MOTOR VEHICLE STORAGE.

Coun. WARD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to submit to the City Council a report as to the amount of money now paid each month for motor vehicle storage in garages not owned by the City of Boston.

Passed under suspension of the rule.

#### PAY OF WOMEN EMPLOYEES.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to include in the budget for the current year a sum sufficient to provide an increase in salary to all women employed by the City of Boston in the bath houses, convenience stations, playgrounds, laundries, and municipal buildings.

Passed under suspension of the rule.

#### PAY OF MECHANICS AND CHAUFFEURS.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to include in the budget for the current year a sum sufficient to provide an increase in salary for all skilled mechanics and chauffeurs in the employ of the City of Boston who did not receive an increase in salary last year.

Passed under suspension of the rule.

#### ALIENS IN CITY DEPARTMENTS.

Coun. DOWD offered the following:

Ordered, That the Committee on Residences of City Employees be instructed to confer with the heads of the various departments having authority



over the penal and hospital institutions of the City of Boston, and advise them that it is the wish of the City Council that they comply with sections 2, 3 and 4 of chapter 9 of the Ordinances of 1921, and discharge all aliens now employed in said institutions within the next two months, and fill their places with citizens.

Coun. DOWD—Mr. President, just about one year ago I introduced an order requesting his Honor the Mayor to confer with the department heads in regard to this matter. I had in mind particularly the City Hospital. But up to date conditions have not been bettered; in fact, they are worse. At a meeting of the committee appointed to investigate this matter, in connection with which the workings of the Employment Bureau were considered, we found that the director of that bureau, Mr. Seaver, told the committee that when he hires men or women to work for the City Hospital he does not take time to look up the question of whether they are citizens or not. We have frequent complaints from our citizens that they cannot get work in the City Hospital. That happens to be in the district I represent, and there is not a day in the week when there are not from six to ten people requesting employment in the City Hospital, citizens of Boston, who cannot obtain employment there, although aliens can. We have at the present time two committees, one on residence and the other on unemployment conditions, investigating these matters. I say to you, Mr. President, that if city officials, the heads of city institutions, are not going to live up to the ordinances of the City of Boston relative to aliens being employed, how can we expect that contractors are going to be forced to do so? I believe it is about time that we had a showdown in this matter, certainly in regard to the City Hospital. I believe that employees, men and women, who are not citizens of Boston, should be discharged and their places filled by people who are citizens, people who are only too anxious to procure employment there.

On motion of Coun. GUILD the order was referred to the Committee on Residences of City Employees.

#### COST OF SIDEWALK CONSTRUCTION.

Communications, with accompanying orders, were received from the Commissioner of Public Works submitting cost of constructing sidewalks and showing amounts to be assessed on owners, as follows:

Maple street, Ward 18, half cost, \$15.  
Hamilton street, Ward 15, half cost, \$157.28.  
Harvard avenue, Ward 21, half cost, \$283.63.  
Foster street, Ward 22, half cost, \$60.96.  
Evans street, Ward 17, half cost, \$397.08.  
Pine street, Ward 18, half cost, \$45.  
Trenont street, Ward 22, half cost, \$3,693.99.  
Adams street, Ward 16, half cost, \$1,689.85.  
Bullard street, Ward 14, half cost, \$107.06.  
The orders were severally passed.

#### PUBLICITY FOR PORT OF BOSTON.

Coun. DONOVAN offered the following:

Ordered, That his Honor the Mayor be requested to include in the budget for the current year a sum sufficient to provide for widespread advertising and publicity for the splendid facilities of the Port of Boston for the handling of shipping in both foreign and domestic commerce.

Passed under suspension of the rule.

#### CONFERENCE IN RE PORT OF BOSTON.

Coun. DONOVAN offered the following:

Ordered, That the Committee on the Port of Boston be instructed to arrange a conference with the officials of the Chamber of Commerce, and with the director of the Commercial, Industrial, and Publicity Bureau of the City of Boston, with a view to mapping out a constructive program of co-operation in restoring the Port of Boston to its former high standing among the maritime centers of the world.

Passed under suspension of the rule.

#### SIDEWALK, WEST TREMLETT STREET.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along West Tremlett street, both sides, from Washington street to Whitfield street, Ward 17, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### COST OF ELECTRICITY IN METROPOLITAN DISTRICT.

Coun. McGRATH offered the following:

Ordered, That the President of the Boston City Council appoint a committee of five members of the Council to act in conjunction with his Honor the Mayor, to investigate and report upon the advisability of seeking a reduction of the maximum price now being charged to domestic and commercial consumers of electricity in the cities and towns comprising the metropolitan district. Said committee shall report its findings, together with such recommendations as it may deem advisable, to the City Council in order that the matter may be brought to the attention of the Department of Public Utilities.

Coun. McGRATH—Mr. President, I think everyone in the state appreciates the splendid fight that Governor Fuller is making to reduce the prices charged by the different electric light companies throughout the Commonwealth to their customers. Now, sir, the Edison Electric Illuminating Company of Boston is by far the biggest electric company in the Commonwealth and, although their plants are located in Boston, their nearest big plant outside of Boston being in the town of Weymouth, they give service to a great part of this state. Their territory, running from Boston, goes up as far as Burlington, Carlisle, Hopkinton, and even down to Bellingham, up to the Rhode Island State line; and they charge 8½ cents per kilowatt hour to the customers of Boston and metropolitan Boston, the same as they charge to those people living away out in Burlington. It is the consensus of people who know something about electric rates that if this service was confined to the metropolitan area the price could be reduced to 5 or 6 cents per kilowatt hour, which would make a substantial difference in the monthly bill to consumers. Up to approximately 1910 the chief field for the sale of electrical energy was for lighting purposes only and practically all revenue was derived from this class of customers. During the past few years, however, approximately two thirds of the total sales of the Edison Company have been to power users at very low rates, although 95 per cent of its total customers are domestic and commercial consumers. Although the individual bill of a domestic customer is comparatively small in amount as compared with a power customer's bill, when it is considered that there are approximately 135,000 of such customers connected with the Edison system it will be readily seen that the total amount collected from these small users at the maximum rates produces a very substantial proportion of the company's total income.

Furthermore, the extensive use of radios by householders who turn their lights late into the night has tremendously increased the average use of current sold under the maximum or domestic rate. The increased use of current to charge radio batteries or to operate the sets direct from the light sockets will still further tend to increase the consumption of current by this class of customer. This has all come about since the last reduction of rates and has given to the company large amounts in the way of additional revenue not anticipated without any of the benefits being passed on to the customer. In the neighboring city of Cambridge—which, I think, is the only city in the metropolitan area that has its own electric light company, regardless of the fact that most of the power in Cambridge is purchased from the Edison Company, they are going to get quite a substantial reduction over there because of action recently taken by the Mayor and City Council. By my order I simply want to help the Governor, who must have his hands full in the splendid fight



he is waging, by calling here into this hall the representatives of this company, and letting them show what their pro rated charge is for each city. If they give you the honest figures, they will show you that it costs them 5 cents per kilowatt hour for the people of Boston, but the reason why we are paying 8½ cents per kilowatt hour here in Boston is because we have to pay the freight for these far-off towns I have named. It is simply another instance of Boston paying the freight. We pay it also on the roads and bridges of the entire state, as well as on other activities. We pay more than our proper proportion on the roads and bridges of metropolitan Boston; and in this case, instead of getting our light for 5 cents per kilowatt hour, we are paying 8½ cents so that some of these other towns may live off Boston. This order, Mr. President, is in keeping with the metropolitan Boston idea, in connection with which you have introduced a resolution, and that is the reason that I have now put in this order, in the interest of metropolitan Boston as against the entire territory now covered by this company. I hope the order will pass.

Coun. ARNOLD—Mr. President, if there is no objection, I would move reference of the order to the Committee on Greater Boston.

Coun. McGRATH—Mr. President, my order calls for the appointment of a committee of five, but I have no objection whatever to its being referred to that committee on Greater Boston.

The order was referred to the Committee on Greater Boston.

#### IMPROVEMENTS ON TEMPLETON STREET, WARD 16.

Coun. GILBODY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to reset curbstones, install granolithic sidewalks and install a smooth paving on Templeton street, Ward 16, Dorchester.

Passed under suspension of the rule.

#### ARC LAMP, WARD 16.

Coun. GILBODY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an electric arc lamp in front of the premises 1840 Dorchester avenue, Ward 16.

Passed under suspension of the rule.

#### REPAVING EAST COTTAGE STREET.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving East Cottage street, from Norfolk avenue to Columbia road, Ward 7.

Passed under suspension of the rule.

#### RESURFACING OF BROADWAY, SOUTH BOSTON.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Broadway, South Boston, from Dorchester avenue to Farragut road, and to include said street in the list of those to be resurfaced during the present year.

Passed under suspension of the rule.

#### BURIAL PERMIT HOURS.

Pres. HEFFERNAN offered the following:

An Ordinance Concerning the Health Department. Be it ordained by the City Council of Boston, as follows:

Section ten of chapter three of the Revised Ordinances of 1925 is hereby amended by striking out after the word "bodies" in the ninth line of said section the words "from ten o'clock in the

forenoon until twelve o'clock noon on every day in the year," and inserting in place thereof the following:

"on week days, except Saturdays, from 9 a. m. to 10 p. m., on Saturdays from 9 a. m. to 5 p. m. and from 6 p. m. to 10 p. m., on Sundays and holidays, except Thanksgiving, Christmas and New Year's, from 10 a. m. to 5 p. m. and from 6 p. m. to 10 p. m., and on Thanksgiving, Christmas and New Year's from 10 a. m. to 12 noon."

Referred to the Committee on Ordinances.

#### RECESS.

On motion of Coun. KEENE the Council voted at 2.38 p. m. to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President HEFFERNAN at 3.55 p. m.

#### BURIAL PERMIT HOURS.

Coun. DOWLING, for the Committee on Ordinances, submitted a report on the ordinance (referred today) amending the burial permit hours of the Boston Health Department,—that the same ought to pass.

Coun. DOWLING—Mr. President, I don't want to be the only dissenting member on the committee, and I am not dissenting from the report of the committee, but, in view of the fact that the proposed ordinance was offered here only today, and there has been a hearing of only one side, the Health Commissioner not having been heard in the matter because he is out of town, I move that the report be laid on the table for one week.

Coun. GUILD—Mr. President, I fail to see what salutary effect it would have to lay this report on the table. If the chairman of the Committee on Ordinances expects to file or to have filed a different report, it seems to me that the matter should then be referred back to the Committee on Ordinances. But if this report is to stand in the form in which it is, in any event, it seems to me we might as well dispose of it today as a week from today.

Coun. DOWLING—Mr. President, the changes suggested in this proposed amendment to the ordinances affect a situation which apparently has been going on since 1925. I realize that it is quite possible that the undertakers and funeral directors have been more or less affected by the adoption of rules by the Health Commissioner which impose an unusual hardship on them. For the past two years, since 1925, the funeral directors have been conforming with the hours established by the Health Commissioner and therefore, at least, they did not impress me with the fact that it was urgent that these changes should go into effect immediately. Certainly I do not feel like voting in favor of the change until I hear from the Health Commissioner who established these rules some reason for them, because he may have some very good reasons for the rules or orders established by him in this connection. I think, in fairness to the Health Commissioner and to the undertakers, that the matter should be heard thoroughly, and I don't see how it can be heard thoroughly by hearing only one side. Therefore, I press my motion that the matter be laid on the table for a week until we hear from the Health Commissioner, who is out of town and will not be back in the city for a week.

Coun. WARD—Mr. President, I sat in that Committee on Ordinances and heard the funeral directors present their story. This is a matter that I feel I know something about.

Coun. DOWD—Mr. President, I rise to a point of order, that the motion to lay on the table is not debatable.

President HEFFERNAN—The Chair will rule that the motion to lay on the table for one week is in effect a motion to assign and is, therefore, subject to debate.

Coun. WARD—Mr. President, as I have stated, I sat in the Committee on Ordinances and heard the members of the Undertakers' Association who came in there make their statements. I have been familiar with the position of the Health Commissioner in this matter, and I feel sure that the Undertakers' Association has a grievance against the Health Commissioner. When he establishes rules that are really a handicap to the

undertakers, I don't believe we should wait until the Health Commissioner comes back from Bermuda to hear his side of the story. I am opposed to laying the order over for a week.

Coun. KEENE—Mr. President, as I understand the procedure, under the present rule, where a person dies late on Saturday the body cannot be moved until Monday. If I am in error in that respect, I hope I will be corrected by members of the committee. It seems to me that is a condition that ought not to exist. If we have rules and regulations that make a thing of that sort possible, we should remove them, and remove them at once, because I don't think anything is more sacred than the care of the body of a deceased person. I, for one, am opposed to laying the order on the table for any length of time.

Coun. GILBODY—Mr. President, I simply want to bring up a brief point in regard to this matter. The delegation from the Funeral Directors' Association brought up the fact that prior to October 16, 1926, the practice had been in perfect working order for ten or twelve months. Now, this is not a matter for the association alone, to my mind. It is a matter that concerns the poor relatives of the deceased person. That is the main consideration. The relative of the deceased is supposed to be allowed by law to take the body when he wants it, regardless of any arbitrary rulings of the Health Department—if they are arbitrary, and I want to say that I am voting on this proposition in behalf of the relatives of any person who might die in this city, and where it is important and desirable that they should have the right expeditiously to take charge of the remains.

Coun. McMAHON—Mr. President, I was at that hearing, and I was talking with one of the undertakers, in regard to a matter that did not come up in the hearing. Take the case of the City Hospital. If you have any relative who dies there, they have to keep that body for five hours. If he happens to die after a certain time they cannot remove him until the following morning. If this place was open until ten o'clock, a permit to remove the body could be obtained before the next morning, instead of having to wait. If we can put this through today, I think we should put it through, and I think the other members of the Council feel the same way about it.

The motion to assign to the next meeting was declared lost.

The report was accepted and the ordinance was passed, Coun. DOWD asking for a roll call, yeas 22, nays 0.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following:

##### 1. Report on petitions (referred today).

Petitions for children under fifteen years of age to appear at places of public amusement, that leave be granted, viz.:

Mrs. N. A. Grenier, Grover Cleveland School, February 28.

D. A. MacQuarrie, St. Mary's Hall, February 28—March 1.

Report accepted; said permits granted under usual conditions.

2. Report on resolutions (referred February 7) approving the policies of the trustees of the Boston Public Library and expressing appreciation for service rendered by the trustees—recommending reference of the same to the Committee on Branch Libraries.

Report accepted; said reference ordered.

3. Report on message of the Mayor (referred today) vetoing order authorizing the grant of leave of absence without loss of pay for thirty days to veterans of the World War—that the same be placed on file.

Report accepted; said message placed on file.

4. Report on order (transmitted by the Mayor and referred today) authorizing the Fire Commissioner to sell after public advertisement a quantity of junk belonging to the Fire Department—that same ought to pass.

Report accepted; said order passed.

#### OPINION OF CORPORATION COUNSEL IN RE NEW ENGLAND TELEGRAPH COMPANY.

Coun. McGRATH offered the following:

Ordered, That his Honor the Mayor be requested to furnish the City Council with a copy of the opinion of the Corporation Counsel referred to in his message vetoing the resolution of the City Council for legislation to amend chapter 272 of the General Laws.

Coun. McGRATH—Mr. President, on account of the great importance of the order that I introduced here a short while ago, that had the unanimous action of this body of twenty-two members, it does seem to me that his Honor the Mayor should give a little more consideration to the order than he has done. If our Corporation Counsel has rendered an opinion, such opinions are usually appended to vetoes, when they have a bearing upon them, and in this case, dealing with such an important matter, it seems to me the Mayor should not treat it lightly but should give to the body which unanimously acted upon that matter the opportunity to personally read the Corporation Counsel's opinion. I hope that the Mayor will send it to us at our next meeting.

Coun. KEENE—Mr. President, may I ask, through the Chair, a question of Coun. McGRATH,—whether or not at the meeting held where a representative of the Department of Public Utilities was present the question was asked whether or not that department did have authority under the statute to correct that situation?

Coun. McGRATH—The question was never asked of them whether they had the authority, but a letter was sent by the Committee on Unemployment to the Department of Public Utilities and was answered by Mr. O'Brien, in which he said that the New England Telephone Company was specifically exempt from that statute. Because of that answer of Mr. O'Brien, we felt that it was important to try to put them on the same footing as every other individual in Massachusetts.

The order was passed under suspension of the rule.

#### PAYMENT OF SEVENTEENTH OF MARCH CELEBRATION.

Coun. LYNCH offered the following:

Ordered, That the City Auditor be requested, through his Honor the Mayor, to approve for payment the following bills incurred by the city on the occasion of the March 17th celebration, 1926: 101st Infantry, \$1,800; 110th Cavalry, \$877.50; 101st Field Artillery, Battery A, \$100.

Coun. LYNCH—Mr. President, these bills were contracted on last March 17 in connection with the public celebration. There has been some argument as to whether the state should pay or whether the city should pay. These are legitimate expenses incurred for transportation and other things that go with a celebration of that kind, and unless they are paid immediately the City of Boston will have no parade on March 17 next, as these units in connection with which these legitimate expenses were incurred formed the greater part of the parade.

Coun. GUILD—Mr. President, I rise to a point of order. This order, if I understand it correctly, amounts to the initiation of an appropriation of money by the City Council, which seems to me to be beyond the powers of the Council, and therefore out of order.

President HEFFERNAN—The Chair will rule the point of order not well taken, inasmuch as this is merely a request on the City Auditor, in its present form.

Coun. KEENE—Mr. President, may I inquire of Coun. Lynch whether or not the question has finally been determined as to whether the city or the state is responsible? My understanding of the situation was that there seemed to be some conflict of opinion as to whether the state or the city should pay the bills. If there are bills outstanding for which the city should assume the responsibility, I should be quite in accord with the order. On the other hand, if the question is not determined, and the expense might properly fall on the state, it might seem wise to hold it in abeyance until the question had been determined.

Coun. LYNCH—Mr. President, on the question of whether the city or the state owes this money, I will say that the city for years has made this



appropriation. The chief marshal, acting with Mr. George Johnson, chairman of public celebrations, assumed this responsibility until the state passed an appropriation. Then they in turn passed the duty to the state. The city refused to accept the whole responsibility, as they usually or always pay something like \$1,200 to these units. I might say that the Mayor has invited the committee of the South Boston Citizens Association in to confer with Mr. Johnson in regard to who is responsible, the city or the state. I have just conferred with a delegation from the 101st Infantry, and they tell me that if we delay or if the Mayor delays later than today they will not have time to notify their companies and their men. I move, Mr. President, a suspension of the rule and the passage of the order.

The order was passed under suspension of the rule.

#### LEAVE TO ATTEND CONVENTION IN PARIS.

Coun. DOWD offered the following:

Ordered, That the heads of departments be authorized, through his Honor the Mayor, to allow all employees of the City of Boston and County of Suffolk who served in the armed forces of the United States during the World War, and who desire to attend the convention of the American Legion in Paris, France, in September, 1927, a leave of absence for thirty days without loss of pay for the purpose of attending this convention; and that his Honor the Mayor appoint a committee to verify the war service of those employees who apply for such leave of absence.

Coun. DOWD—Mr. President, this order was originally introduced by myself two months ago and the answer to the same was received by the Council today in that illuminating veto message that the Mayor sent to us. I feel the same now as when I introduced the order, only more so. In his letter the Mayor states that it would be doing an injustice to the public of this city to allow the veterans to go away, as proposed, because it would impair the city service. I wonder how he feels about allowing a man who has been employed by the City of Boston only ten months, and who lived in Quincy until a short time ago, to go away for a vacation, Fire Commissioner Hultman, a man who is allowed, although he is head of the Fire Department of this city, to go away on leave of absence for thirty days; a man who is receiving a salary of \$7,500 from the city; or also how he feels about the absence of the same sort of another highly paid head of a department, who is sojourning in Bermuda for a month, without loss of pay? I feel, as I have always felt, that the veterans are entitled to any reasonable treatment they can receive from the City of Boston, and I am, therefore again submitting this order, and will ask a suspension of the rule that it may be put upon its passage.

Coun. GUILD—Mr. President, this is a matter which came before the Executive Committee this afternoon and has come before them on other occasions. In view of the fact that this veto message has been sent in, it seems to me it would be better to give it further consideration, not suspending the rule and passing it at this meeting. I would move, therefore, that it be referred to the Executive Committee.

Coun. DOWD—Mr. President, I feel that this order has already been thoroughly threshed out in the Executive Committee at several meetings, and that we have there gone on record as indorsing the order. I feel that we should do it now, particularly in view of the fact that the state employees who were veterans are having granted to them a thirty days' leave of absence, as suggested here. I therefore press my motion to suspend the rule and pass the order at this time, and I ask for a roll call.

Coun. GUILD—Mr. President, I am unchanged in my attitude by the assertion of the previous speaker that the state employees have been given a thirty days' leave of absence. I am informed that such is not the fact, and that only adds weight to what I have already said. I believe, therefore, that we should not pass the order under suspension of the rule at this meeting, but that it should be referred to the Executive Committee, where it has already been considered on several occasions. I therefore press my motion that it be referred to the Executive Committee.

Coun. Guild's motion to refer to the Executive Committee was declared carried. Coun. DOWD doubted the vote and asked for the yeas and nays.

The motion to refer to the Executive Committee was lost, yeas 5, nays 16:

Yeas—Coun. Arnold, Bush, Dowling, Guild, Parkman,—5.

Nays—Coun. Donovan, Dowd, Englert, Fitzgerald, Freely, Gilbody, Green, Heffernan, Keene, Lynch, Mahoney, McGrath, McMahon, Ruby, Ward, Wragg—16.

The question came on suspending the rule.

Coun. DOWLING—Mr. President, I am not going to allow a roll call to scare me into doing something that I know I ought not to do. I have as much regard for the veterans of the World War as any man in the Council, and I have gone as far as any man in the Council in offering my services to the Government when they were needed. I believe that the reason offered by the Mayor in his veto here is one that was laudable and justifiable. If the Mayor says there are 500 members of the Fire Department who would be eligible for this trip to Europe—which I wish every World War veteran could enjoy and which I wish I could enjoy myself—that is sufficient reason for not voting for this order again. I think nothing could be much more absurd. I know the gentleman on the other side (Coun. Dowd) will say that the 500 or 600 firemen will not avail themselves of the opportunity to go to this convention; but nothing could be more absurd, in my opinion, than an order that would allow 500 or 600 members of the Fire Department, the Police Department or the Health Department or any other department, to vacate their offices in any such way. As I say, I am not going to allow a roll call to scare me into what I know is wrong. Therefore, when the question comes on passage, I am going to vote against the order.

Coun. DOWD—Mr. President, in calling for a roll call I am simply using my prerogative as a member of this body, and am not trying to scare the Council into voting one way or the other. When the gentleman talks about 500 members of the Fire Department going to this convention in Paris, quoting the Mayor, I will simply say that nobody here can have the slightest idea that 500 members of that department will attend the convention. In my opinion, if twenty-five to forty of the firemen are able to attend that convention, it will be as many as could ever be expected.

Coun. GUILD—Mr. President, I feel very much in accord with Coun. Dowling in what he has said. It occurs to me that whatever political advantage may inure to members of the Council from their attitude towards the veterans who fought in the World War, in connection with this proposed action, has already inured. We have gone on record as expressing our opinion in the previous order that was passed. The Mayor has given that order his consideration and has vetoed it, and it seems to me nothing but futile to football the thing back and forth, so that the Mayor may do the same thing with the same order again, without any reasonable expectation that he is going to do anything different than what he has already done. The key to the situation is in the hands of the Mayor, and he has indicated his opinion. Nothing has occurred since the veto message came in, to my knowledge, which would lead me to believe that the Mayor is going to do anything different from what he has already done. So far as any political advantage to members of the Council is concerned, as I say, any benefit to be derived by members through their action on this matter has already been derived. If there is any political advantage to Mayor Nichols in vetoing such an order, that has been gained. Nothing can now be gained by repeating the process and, as I say, by repeating it we are simply making futile gestures, something to which I am opposed. I introduced an order myself allowing the veterans to have vacations, under an arrangement that would permit them to go to Paris, and, therefore, you can see that I have sympathy with the order introduced by Coun. Dowd. My own opinion is that veterans should have a vacation on this occasion. But I cannot see anything to be gained by going through the motions we have already gone through once, and therefore I am opposed to repeating the order at this time.



Coun. KEENE—Mr. President, I would like to ask the City Clerk, through the Chair, for a ruling as to whether or not in his opinion we have a right to give civil service employees a vacation without pay for a longer term than that specified in the Civil Service rules and regulations.

President HEFFERNAN—The City Clerk, through the Chair, says that it is hardly proper for him to give an opinion on a matter of this kind, that it is a matter to be handled by the Law Department.

Coun. KEENE—Then, Mr. President, I suggest that it might be wise at this time, if the councilor is not insistent upon immediate action, that the matter be continued or laid over for such period as will give sufficient length of time to examine into it. I would make that suggestion, if it meets with the approval of the councilor who introduced the order.

Coun. DOWD—Mr. President, it would meet with the approval of the councilor and he would be only too glad to do so, provided the same position were to be taken with Mr. Hultman and Mr. Mahoney with reference to their leaves of absence. I think that the same rule should govern. If one matter is to be referred to the Law Department, the other matters should be referred there, also.

The question came on suspension of the rule for the passage of the order. The roll was called, and the Council voted to suspend the rule, yeas 14, nays 7:

Yeas—Coun. Donovan, Dowd, Englert, Fitzgerald, Freeley, Gilbody, Green, Heffernan, Lynch, Mahoney, McGrath, McMahon, Ruby, Ward—14.

Nays—Arnold, Bush, Dowling, Guild, Keene, Parkman, Wragg—7.

The order was passed.

#### REPAVING WASHINGTON STREET, WARD 11.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Washington street, from Eggleston square to Forest Hills, Ward 11.

Passed under suspension of the rule.

#### REPAVING MARCELLA STREET, WARD 11.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Marcella street, Ward 11.

Passed under suspension of the rule.

#### MEMBERSHIP OF COMMITTEE ON PUBLIC LANDS.

Coun. LYNCH offered the following—That the Committee on Public Lands be increased from five members to seven.

Referred to the Committee on Rules.

#### GENERAL RECONSIDERATION.

On motion of Coun. KEENE a general reconsideration of all action taken today was refused.

Adjourned on motion of Coun. DOWD, at 4.27 p. m., to meet on Monday, March 7, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, March 7, 1927.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President HEFFERNAN in the chair. Absent, Coun. Mahoney and Parkman.

## JURORS DRAWN.

Coun. FREELEY in the chair.

Jurors were drawn in the manner prescribed by law, the Mayor absent, as follows:

Forty traverse jurors, Superior Criminal Court, First Session, to appear April 4, 1927:

Edward F. Moran, Ward 1; Edward Reilly, Ward 2; William A. Carroll, Ward 3; Henry Finochietti, Ward 3; John J. Kelley, Ward 3; Frank H. Smith, Ward 3; Richard H. McGrath, Ward 4; William A. Tobin, Ward 4; George A. Mackenzie, Ward 5; Joseph L. Coleman, Ward 6; Alfred J. Harrold, Ward 7; Michael F. Hayes, Ward 7; Edward J. Moore, Ward 7; Louis Bornstein, Ward 9; John J. Corcoran, Ward 9; Patrick F. Dunn, Ward 9; Frank J. O'Toole, Ward 9; John B. Cleary, Ward 10; John J. Kirwin, Ward 10; Frank Murphy, Ward 10; Edward F. Whelan, Ward 11; Charles W. Fuller, Ward 12; Edward B. Ford, Ward 13; Arthur T. Young, Ward 13; Benjamin C. Johnson, Ward 14; Bernard F. Carolan, Ward 15; Christopher Kells, Ward 15; Victor N. Schultz, Ward 15; Clarence F. Hoyt, Ward 16; Ernest E. Lanagan, Ward 17; James F. Mills, Ward 17; Harry L. Oliver, Ward 17; William P. Johnson, Ward 18; Dennis J. Shugrue, Ward 18; Alfred J. Briscoe, Ward 19; Albert B. Barnes, Ward 20; Philip C. Newton, Ward 20; George P. Kennison, Ward 21; William L. Greene, Ward 22; Albert M. Kane, Ward 22.

Fifteen traverse jurors, Superior Criminal Court, Second Session, to appear April 4, 1927:

Carl H. Lawton, Ward 2; John F. Leary, Ward 2; Henry J. Loring, Ward 2; Edward J. Ryan, Ward 3; Elwin B. Leavitt, Ward 4; Charles Mills, Ward 4; Joshua B. Holden, Ward 5; John P. Walsh, Ward 5; Dennis J. Collins, Ward 6; Thomas Floyd, Ward 10; Edward J. White, Ward 11; James V. Duffy, Ward 13; Thomas A. O'Connor, Ward 14; Alexander F. Smith, Ward 18; James H. Donovan, Ward 18.

Forty traverse jurors, Superior Criminal Court, Third Session, to appear April 4, 1927:

William M. Cohen, Ward 1; Louis Horne, Ward 1; John P. Newbury, Jr., Ward 1; James F. O'Donnell, Ward 1; Butson H. Hoar, Ward 3; Charles B. McLaughlin, Ward 1; David J. Brown, Ward 4; Alfred A. Hewitt, Ward 4; Peter J. Lofberg, Ward 4; Leon E. Pickering, Ward 4; William A. Richardson, Ward 4; William B. Nash, Ward 5; Samuel Blender, Ward 5; George W. Brown, Ward 5; William N. McKenna, Jr., Ward 5; Charles P. Dineen, Ward 6; Arthur J. Martin, Ward 6; Alfred N. Phaneuf, Ward 8; J. Henderson Allston, Ward 10; Stephen J. Cronin, Ward 10; Michael F. Curley, Ward 11; Joseph B. Holland, Ward 11; John J. McGrady, Ward 13; Edward J. White, Ward 13; Arnold Boydman, Ward 14; William E. Connolly, Ward 14; Maurice A. Cook, Ward 14; David B. Weinstein, Ward 14; Robert J. Wylie, Ward 14; Charles A. Langguth, Ward 15; William H. Lewis, Ward 15; Thomas J. Byrnes, Ward 16; Timothy J. Cahill, Ward 16; Patrick J. Connors, Ward 16; Andrew F. Roche, Ward 16; Michael Ryan, Ward 17; Oliver C. Macleod, Ward 20; George J. Williams, Ward 20; Robert Adams, Ward 21; William T. O'Brien, Ward 22.

Twenty-five traverse jurors, Superior Civil Court, First Session, April Sitting, to appear April 4, 1927:

Frederick J. St. Cyr, Ward 1; Francesco Tripoli, Ward 1; Burton H. Allbee, Ward 3; John W. Gorey, Ward 3; John F. Everin, Ward 4; Robert

M. Dohhins, Ward 5; Bartholomew A. O'Connor, Ward 5; George W. Vaillant, Ward 5; Arthur F. Coughlin, Ward 7; Edward A. McCahe, Ward 7; Daniel J. Moynihan, Ward 7; William E. Murphy, Ward 7; Thomas J. Robertson, Ward 7; William P. Sheehan, Ward 7; Joseph Doherty, Ward 9; Edward C. Cramer, Ward 9; Phineas H. Robinson, Ward 9; Charles McCormack, Ward 15; Daniel A. McDonald, Ward 13; James M. O'Brien, Ward 13; William M. Smith, Ward 15; Francis M. Chick, Ward 18; Timothy L. Kenney, Ward 19; Anthony Tiews, Ward 19; Charles A. O'Connell, Ward 22.

Twenty-seven traverse jurors, Superior Civil Court, Second Session, April Sitting, to appear April 4, 1927:

Henry A. Gillespie, Ward 1; James J. Cahill, Ward 2; John J. Convey, Ward 2; James J. Conway, Jr., Ward 2; Frank P. Hurley, Ward 2; Patrick J. O'Brien, Ward 2; William A. Porter, Ward 2; John J. Gilmartin, Ward 3; Edward J. Leman, Ward 5; Arthur E. Caulfield, Ward 6; Edward J. Cleminson, Ward 6; Michael Norton, Ward 6; William F. Dooley, Ward 9; William P. Rumrill, Ward 9; Edward M. Hook, Ward 11; Arnold Klein, Ward 11; Charles M. Bradford, Ward 13; Martin J. O'Grady, Ward 13; Fred T. Harrington, Ward 14; Peter Donnelly, Ward 15; Frank A. Gaynor, Ward 15; Michael C. Haley, Ward 16; James J. Kenneally, Ward 16; Abraham Herman, Ward 17; William S. Wilson, Ward 18; Joseph A. DiBello, Ward 20; John H. Hildreth, Ward 21.

Twenty-nine traverse jurors, Superior Civil Court, Third Session, April Sitting, to appear April 4, 1927:

Walter J. Sullivan, Ward 1; Frederick T. Thornton, Ward 1; Daniel McSweeney, Ward 2; Edward F. Dowling, Ward 3; James Cronin, Ward 3; Michael J. Glynn, Ward 3; William E. Ryan, Ward 3; George W. Woodworth, Ward 4; James J. Gazaway, Ward 5; William T. Haley, Ward 5; James J. Bagnall, Ward 6; Peter F. Keenan, Ward 7; John J. Hurley, Ward 8; Israel Mannis, Ward 8; Herbert C. Josselyn, Ward 9; Michael J. Connell, Ward 10; Martin F. Walsh, Ward 10; Louis H. Deuschle, Ward 11; Joseph H. Hague, Ward 12; Frederick E. Todd, Ward 12; James H. Niles, Ward 14; Kinsley H. Read, Ward 14; George F. Tyler, Ward 16; John F. Flynn, Ward 18; Allan Grieve, Ward 18; Albert J. Patch, Ward 19; Paul F. Seavey, Ward 20; John A. Whittemore, Jr., Ward 20; Harry I. Broude, Ward 21.

Twenty-two traverse jurors, Superior Civil Court, Fourth Session, April Sitting, to appear April 4, 1927:

John P. Dineen, Ward 4; Philip G. Wiggins, Ward 4; Elroy W. Houghton, Ward 5; William A. Walsh, Ward 5; John J. Holland, Ward 6; Dennis J. Nolan, Ward 6; Frederick T. Byrnes, Ward 7; James J. Holman, Ward 7; John F. O'Donovan, Ward 7; William E. Adams, Ward 11; William Emmel, Ward 11; Hyman Shapiro, Ward 12; James I. Steeves, Ward 12; Thomas M. McBarron, Ward 13; Francis V. McInnis, Ward 13; Alexander Scott, Ward 14; William Walsh, Ward 16; Thomas N. Coulthurst, Ward 18; John F. Nash, Ward 18; Jerome B. Norton, Ward 19; Leonard T. Armstrong, Ward 20; Louis E. Bahh, Ward 20.

Twenty-five traverse jurors, Superior Civil Court, Fifth Session, April Sitting, to appear April 4, 1927:

William D. Cook, Ward 1; John W. Garcia, Ward 1; Charles E. Norman, Ward 1; John J. Callaban, Ward 2; George A. Nicholas, Ward 3; Thomas P. A. McGouey, Ward 3; Joseph I. Kemp, Ward 4; John L. Conley, Ward 6; Charles C. Crowley, Ward 6; Daniel F. Murphy, Ward 6; Theodore Sprissler, Ward 10; Alfred P. Grossman, Ward 11; Daniel J. O'Connor, Ward 11; Arthur E. Boynton, Ward 12; Samuel H. Burden, Ward 12; James J. Hammond, Ward 12; George A. Leavitt, Ward 12; John J. Connell, Ward 15; William H. McGinty, Ward 15; Howard L. Jordan, Ward 18; William T. Martin, Ward 18; William J. Scannell, Ward 18; Edward L. Kelly, Ward 19; William M. Mahoney, Ward 19; Thomas H. Walsh, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Sixth Session, April Sitting, to appear April 4, 1927:

Edward E. Lyons, Ward 1; George T. McGuire,



Ward 1; Francis J. Powers, Ward 1; John Burke, Ward 2; Anthony P. Canavan, Ward 3; Charles Coburn, Ward 3; James A. Bird, Ward 4; Edward B. Bayley, Ward 5; John F. Burke, Ward 6; Daniel O'Sullivan, Ward 6; Walter E. Turnbull, Ward 6; Charles F. Corcoran, Ward 7; Henry J. Dugan, Ward 7; Edward J. Howard, Ward 7; John J. Appel, Ward 8; Patrick F. Cox, Ward 8; James F. Drey, Ward 8; George Harkins, Ward 10; William E. Roth, Ward 10; James L. Alexander, Ward 13; John J. Donovan, Ward 15; William J. Kenney, Ward 15; Frederick M. Glynn, Ward 16; William S. Byrne, Ward 17; Carl H. Rose, Ward 18; Frank H. Steinbacher, Ward 19; John C. Horgan, Ward 22; Edward J. King, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Seventh Session, April Sitting, to appear April 4, 1927:

Robert R. Alexander, Ward 1; James A. Morrissey, Ward 1; William Morse, Ward 1; John J. O'Halloran, Ward 2; Charles J. Harvey, Ward 3; Henry G. Adalian, Ward 4; William D. Gage, Ward 4; Alfred N. Newcomb, Ward 4; Thomas Keenan, Ward 7; Robert F. Page, Ward 7; William Patrick Sullivan, Ward 7; John McIntyre, Ward 8; Henry Krug, Ward 11; James P. Clear, Ward 12; Clas B. Carlson, Ward 14; Max L. Davidson, Ward 14; Walter M. Mitchell, Ward 14; Alfred E. Conant, Ward 16; James W. Fitzgerald, Ward 16; Arthur L. Oakman, Ward 16; William O'Brien, Ward 17; Victor G. Sears, Ward 16; Charles M. Barter, Ward 18; Edward D. Kollock, Ward 18; Harry A. Grant, Ward 19; Edgar McCallum, Ward 20; George F. Lawson, Ward 21; Gordon B. Simpson, Ward 21.

#### SEMAPHORE AT FAY SQUARE.

The following was received:

City of Boston.

Office of the Mayor, March 4, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Department in reply to your order of February 14, 1927, in relation to placing semaphore at Fay square, Charlestown.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Police Department, March 2, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mayor Nichols,—Replying to a communication under date of February 16, together with an order of the City Council, requesting that a semaphore be placed in Fay square, Charlestown, I wish to state that after an investigation of this location by the officers in charge of traffic in this department, it appears that there is no type of traffic signal needed at the present time at this location.

The traffic in Main street, near this square, is heavy at times, while the traffic in Bunker Hill and Medford streets is light and apparently not much cross traffic and not many pedestrians.

If it develops that a traffic signal should be necessary owing to changed weather conditions, I shall be glad to take the matter again under consideration.

Yours respectfully,

HERBERT A. WILSON,  
Police Commissioner.

Placed on file.

#### APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments for the term ending April 30, 1927:

Constables: Julius Ansel, 49 Thetford avenue, Dorchester; Abraham I. Weiss, 133 Harold street, Roxbury.

Laid over for a week under the law.

#### APPROPRIATION FOR PORT DIFFERENTIALS.

The following was received:

City of Boston,

Office of the Mayor, March 7, 1927.

To the City Council.

Gentlemen,—The question of the abolition of port differentials on export and import traffic is and has been for the past six years the most important proposition confronting New England. The City of Boston has not been unmindful of this fact, and during the past five years has made available a total of \$13,000 for the purpose of combating the system of unfair and discriminatory differentials placed in operation by the Interstate Commerce Commission. As a consequence of this opposition, certain measures of relief have been secured primarily in connection with our import trade. Our foreign export trade, however, has been seriously handicapped and it is absolutely necessary that our opposition to the present differential rates be continued until such time as the port of Boston shall receive the necessary measures of relief to which it is entitled.

The recent allocation to Boston of the ships of the American Republics Line may be said to be indirectly the result of our differential campaign. To bring these ships to Boston it was necessary to overcome the opposition of the same cities who have been leading the fight against us in the matter of port differentials. The transfer of these ships to Boston will result in the annual expenditure of millions of dollars within our city for labor, materials and supplies.

The City of Baltimore has raised a fund of \$50,000, to contest our efforts in the removal of port differentials. Philadelphia has also appropriated funds for this purpose, and, in addition we must combat the powerful opposition of the Baltimore & Ohio and Pennsylvania Railroads. Approximately two years ago the city made a contribution of \$5,000, as its share towards the expenses of the campaign. This contribution is now exhausted and if the necessary and important campaign is to be continued additional funds will be required. Boston has a very vital interest in the continuance of this campaign, hence I submit for your approval an order providing for the appropriation on the part of the city of the sum of \$5,000, to be expended in the continuance of an aggressive campaign for the removal of port differentials.

I respectfully recommend adoption of this order by your honorable body.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

Ordered, That a sum not in excess of \$5,000 be and hereby is appropriated to be expended under the direction of the Mayor in the matter of Boston port differentials, said sum to be charged to the Reserve Fund, when made.

Referred to the Executive Committee.

#### PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

##### Claims.

John Armstrong, for compensation for injuries caused by an alleged defect near Park Street Subway entrance.

Augustus T. Beatey, for compensation for damage to automobile by patrol wagon.

John Dondero, for compensation for damage to car by city truck.

Louis Epstein, for compensation for damage to property on Warren street caused by blasting operations.

George N. Jacobs, for refund on building permit. Maria Keating, for compensation for damage to property at 108 Capen street caused by water being turned off and on.

Frances V. Kelly, for compensation for damage to property at 1 Marion street caused by obstruction in sewer.

James F. Killian, for compensation for damage to property at 18 Copley street, Roxbury, caused by backing up of sewage.

Teddy Kleros, for compensation for injuries caused by city cart.

Mary E. Knight, for compensation for injuries caused by an alleged defect at 53½ Irving street.

Gertrude Levovich and Frances Richmond, for compensation for damage to property at 876 Harrison avenue, caused by defective sewer pipes.

Harry C. Lund, for refund on money paid to release title on land and buildings at 38 Mildred avenue.

Rose Mahoney, for compensation for ash cans broken by ashmen.

John H. McDonald, for compensation for damage to automobile by city truck.

Merinda McGee, for compensation for damage to automobile by city truck.

Red Cab Company, for compensation for damage to cab by city employee.

Frances Sinatra, for compensation for injuries caused by an alleged defect in Everett street, East Boston.

George L. Ware, for compensation for damage to automobile caused by an alleged defect at Washington and Summer streets.

West Roxbury Post No. 167, for refund of fee paid for billiard license.

Wladyslaw Wojtasinski, for compensation for injuries caused by city car.

Anna Zalinsky, for compensation for injuries caused by an alleged defect at 43 Allen street.

#### Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Marion Thayer Hiltz, Dudley St. Municipal Building, May 19.

Maria Paparello, Jordan Hall, April 27.

#### STORAGE AND SALE OF GASOLINE.

Notice was received from the Street Laying-Out Department of hearings to be held March 21 on following petitions:

R. S. Brine Transportation Company, 194 West First street, Ward 6, 1,000 gallons.

Aetna Petroleum Company, 200 Cambridge street, Ward 22, 12,250 gallons.

J. Sumner Draper, 821 Columbia road, etc., Ward 13, 2,000 gallons.

Calile J. Maloof, 275 Old Colony avenue, Ward 7, 1,000 gallons.

Modern Battery and Tire Service Company, 1031 Blue Hill avenue, Ward 14, 1,000 gallons.

Referred to the Executive Committee.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President HEFFERNAN, under unfinished business, called up Nos. 1 and 2 on the calendar, viz.:

Action on appointments submitted by the Mayor February 28, 1927, viz.:

1. William J. Weyand and Leo Bass, to be constables.

2. David Wright and J. J. Sweeney, to be weighers of goods, and Helen M. Hamilton, to be a weigher of coal.

The question came on confirmation. Committee, Coun. Keene and Green. Whole number of ballots 13, yeas 13, nays 0, and the appointments were confirmed.

President HEFFERNAN in the chair.

#### ACCEPTANCE OF MANNING STREET.

Coun. WRAGG offered the following—That the Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Manning street, from Berry street to Gilman street, Ward 18, as a public highway.

Passed under suspension of the rule.

#### ACCEPTANCE OF GILMAN STREET.

Coun. WRAGG offered the following—That the Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Gilman street, from Canterbury street to Sutton street, Ward 18, as a public highway.

Passed under suspension of the rule.

#### PAVING ABBOTSFORD STREET.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to pave with smooth paving Abbotford street, Ward 12.

Passed under suspension of the rule.

#### RESURFACING HYDE PARK AVENUE.

Coun. GUILD offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to resurface with smooth paving Hyde Park avenue between Walk Hill street and Metropolitan avenue.

Passed under suspension of the rule.

#### ROADWAY OVER SHAWMUT BRANCH EXTENSION.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be and he hereby is respectfully requested to advise the City Council the result, if any, of his investigation of the expense of construction of a roadway or street for pleasure vehicles over the tunnel or arcaway of the Shawmut Branch of the Cambridge Tunnel, such investigation having been respectfully requested by order of the City Council, passed November 29, 1926.

Coun. WILSON—Mr. President, I move a suspension of the rule and a passage of the order.

Coun. GILBODY—Mr. President, I would like to have the order referred to the Executive Committee, if the gentleman has no objection.

Coun. WILSON—Mr. President, I have no objection, but would say that this is really a polite reminder to the chief executive to send us, if possible, the results of the investigation that he was asked to make two months ago on this particular matter. Apparently, judging from results, if there was an investigation and a report was made, it was thrown into the waste basket. But I have no objection to this order going to the Executive Committee.

The order was referred to the Executive Committee.

#### CONTRACTORS BIDDING ON SHAWMUT BRANCH EXTENSION.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor, through the City Auditor, be and he hereby is respectfully requested to furnish the City Council forthwith with the name and address of each contractor who made any bid or bids for the construction of the so-called Shawmut Branch extension, which includes the tunnel or arcaway between Park street and Peabody square, Dorchester.

Referred to the Executive Committee.

#### RADICAL PUBLICATIONS AMONG SCHOOL CHILDREN.

Coun. WILSON offered the following:

Ordered, That the Police Commissioner and the Corporation Counsel of the City of Boston, through his Honor the Mayor, be requested and urged forthwith to confer and co-operate with the District Attorney for Suffolk County, relative to any continued dissemination of radical publications among young school children in the City of Boston.

Coun. WILSON—Mr. President, presumably every member of the City Council has read in the newspapers recently concerning the organized circulation of radical so-called "literature" among the young school children of the City of Boston, especially in the Roxbury and Dorchester districts. I realize, of course, that there is such a thing as freedom of the press, but, on the other hand, I feel very strongly that any attempt to undermine the morale or patriotism of the young children in our primary and grammar schools is something that should be stamped out at the start. There is an attempt particularly to attack such patriotic organizations as the Girl Scouts and Boy Scouts of America, which organizations are especially strong in my district, for which reason presumably this



attack has been started in the Dorchester ward. I thoroughly agree with the often expressed sentiment of Coun. McGrath that this body should not memorialize any other governing body, and for that reason I purposely, before putting the order in to the Council, wrote to the Governor of the Commonwealth today asking for his assistance, and urging him to utilize the secret service branch of the Commonwealth in ferreting out this matter. I am convinced, from following up and reading the articles, that the purpose of those spreading them is not to circulate the sheets as such, but that they are being used as a come-on to encourage the increased circulation of a vicious socialistic paper called "The Young Comrade," and other such papers published in the city of Chicago. I accordingly urge the passage of the order at this time.

Coun. GUILD—Mr. President, at the risk of seeming to defend radicals and Reds and other people of that ilk, I rise to oppose Coun. Wilson's motion. It seems to me the best way to focus the attention of the public upon such pernicious activities as those to which he has referred is for bodies such as the Boston City Council to take notice of them. We all know the effect of censorship of the drama. The plays which are branded are the ones where the houses are crowded. As soon as a body like the Boston City Council begins to take cognizance of the activities of such people, attention is focused upon them, which is the one thing they want above all others. They want public attention, they want resolutions passed by bodies like the Boston City Council, because that is their bread and drink. I, therefore, am heartily opposed to the City Council recognizing the activities, pernicious as they are, of these radicals and Reds, and I hope that the motion will not prevail.

The rule was suspended, and the order was read a second time and passed.

#### RENTAL OF BOULEVARD ELECTRIC LIGHT POLES.

Coun. WILSON offered the following:

Ordered, That the Greater Boston Committee of the City Council—preferably in conjunction with his Honor the Mayor—investigate and report, first, with reference to the reported rental by the City of Boston of approximately 6,000 boulevard electric light poles, costing approximately \$110 each, at an annual rental of \$36 per year per pole, and secondly, with reference to the advisability of substituting for the present incandescent lamps a diffusing nonfocusing reflector system.

Coun. WILSON—Mr. President, last Monday the members of this body listened with interest to Coun. McGrath's remarks suggesting a possible reduction of electric light rates from 8½ cents to 5 or 6 cents per kilowatt hour. As an interesting coincidence, each member of this body likewise received last Monday a communication from Mr. Allan G. Lamson on the same general subject, but from another angle, viz., a reduction of electric light costs to the City of Boston. I personally was much interested in the suggestion that the City of Boston pays over a period of each three years a rental on thousands of poles sufficient in amount to have purchased the poles outright. I was also interested in the suggestion that one third of our present number of poles differently, but just as economically equipped, will furnish twice the present visibility while using less than one third the present current. I was sufficiently interested to talk with Mr. Lamson personally and while I myself do not attempt for one moment to qualify as an expert, I was told that Police Commissioner Wilson has already equipped one third of the police poles in the City of Boston with the suggested reflector system, on receiving favorable reports by individual members of the police force. I understand that this equipment reduces the cost of operation from 8½ cents to 3½ cents per kilowatt hour, that there is an increased visibility even with reduced consumption of light current, and that the change is easily effected, not necessarily through any replacement of polls, but merely by installation of the new bulb and reflector. Nothing can be lost and much can be gained by serious consideration of this problem. The Cambridge City Council, I am informed, is already taking up the matter with Mr. Lamson. I feel that proper investigation by the members of this body in conference with Mr. Lamson, Commissioner Sullivan, Mr. Atwood, and

the representatives of the Edison Light and other companies may well mean improved lighting and substantial economy for the City of Boston.

The order was passed under suspension of the rule.

#### HALF HOLIDAY FOR WOMEN CLEANERS, CITY HOSPITAL.

Coun. DOWLING, for Coun. Ward, offered the following:

Ordered, That the Trustees of the Boston City Hospital, through his Honor the Mayor, be requested to establish a half holiday each week for women employed as cleaners at the Boston City Hospital.

Coun. DOWLING—Mr. President, if Coun. Ward, for whom I introduced this order, were here, he would tell you, prayerfully and tearfully and much more eloquently than I could possibly do that the cleaners employed in the Boston City Hospital are compelled to put in a seven-day week, with no time off. I ask a suspension of the rule that the order may pass at this time.

The order was passed under suspension of the rule.

#### ANNUITY TO WIDOW OF GEORGE DRISCOLL.

Coun. McGRATH for Coun. McMahon offered the following:

Ordered, That an annuity of six hundred dollars be allowed and paid to the widow of George Driscoll, late member of the Fire Department, who died from injuries received in the performance of his duty, such annuity to continue so long as said widow remains unmarried and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Referred to Executive Committee.

#### LEASE TO DORCHESTER POST NO. 498.

Coun. GILBODY offered the following:

Ordered, That his Honor the Mayor be and he hereby is authorized in the name and behalf of the City of Boston, and in form satisfactory to the Law Department, to execute a lease to Dorchester Post No. 498, Veterans of Foreign Wars, of one room in the city building situated at the corner of Washington and Norfolk streets, in that part of Boston formerly called Dorchester, for a term not exceeding five years beginning with the passage of this order, at a rental of one dollar per annum.

Referred to Committee on Public Lands.

#### ARC LIGHT, WARD 16.

Coun. GILBODY offered the following:

Ordered, That his Honor the Mayor request the Public Works Commissioner to install an arc light at corner of Train street and Victory road, Ward 16.

Passed under suspension of the rule.

#### RECESS.

The Council voted, on motion of Coun. DONOVAN, at 3.02 p. m., to take a recess subject to the call of the President.

The members reassembled in the Council Chamber and were called to order by President HEFFERNAN at 3.55 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following:

1. Report on order (referred February 14) requesting information from Law Department relative to Harvard College branch library, recommending passage of order in following new draft, viz.:

Ordered, That the Corporation Counsel at his earliest convenience, through his Honor the Mayor, be requested to answer for the information of the



Council, the following questions relating to the agreement referred to by him in his opinion dated February 4, 1927, regarding the transfer of certain books from the Boston Public Library to Harvard College.

1. Is it your opinion that Harvard University is a school or institution of learning, whether under public control or otherwise, wherein any denominational doctrine is inculcated?

2. Is it your opinion that Harvard University is a school, college, institution, or educational undertaking, which is not publicly owned and under the exclusive control, order and superintendence of public officers or public agents authorized by the Commonwealth or Federal authority or both?

Report accepted; order passed.

2. Report on order (referred today) on result of investigation for use of roadway over Shawmut Branch extension for pleasure vehicles—that same ought to pass.

Report accepted; order passed.

3. Report on order (referred today) that his Honor the Mayor furnish the Council with name and address of each contractor bidding on the Shawmut Branch extension—that same ought to pass.

Report accepted; said order passed.

4. Report on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, that leave be granted under usual conditions, as follows:

Marion Thayer Hiltz, Dudley St. Municipal Building, May 19.

Maria Paparello, Jordan Hall, April 27.

Report accepted; permits granted on usual conditions.

5. Report on message from Mayor and order (referred today) appropriating a sum not in excess of \$5,000 to be expended under direction of Mayor in matter of Boston port differentials—that the same ought to pass.

Report accepted; and the order was given its first reading and passage, yeas 16, nays 0.

6. Report on message of Mayor (referred February 28) relative to proceedings of the Committee on Unemployment—that the same be placed on file.

Coun. McGRATH—Mr. President, the letter from his Honor the Mayor was so lengthy that it is almost impossible to answer it in every detail but, because there are a few statements contained therein that are of special interest to me, I am going to attempt to answer it as briefly as I can. Whether there is a necessity for an Unemployment Committee being appointed at this time or not, is not for me to decide finally, perhaps, but I would refer to the testimony before our committee of Mr. Harry Jennings, the business agent of the Boston Central Labor Union, on last Friday, in which he told us that there are between 60,000 and 65,000 men unemployed in Boston at the present time.

Wholesale discharges of employees by corporations and by individual firms have resulted in that state of affairs, and this body has, therefore, appointed a committee of five members on the question of unemployment. I think his Honor the Mayor was supposed to have a representative on the committee, but he failed to send one there. However, his failure to do so did not hamper the committee's work, and they have proceeded to take stock of the situation so far as they could, and get some idea of the number who are really unemployed. The first ones we called in were the officials of the Telephone Company, who came here, and we found that over a thousand men and women had been discharged from that company. Whatever happened subsequent to that was because of the Telephone Company's endeavor to listen in and to hear what was being said by those who were interested in those meetings, and it was the Telephone Company that took the initiative in bringing about a situation that then confronted us. We were confronted with a situation that we were told existed in connection with contracts entered into by the City of Boston, and a great many said to us, "There is no object in continuing your meetings until you have first cleaned your own house." There are several contractors in Boston who are employing alien labor instead of citizen help, resulting in a good deal of unemployment of citizens." So we invited about forty-five of these contractors in, and forty-four of them came, and one failed to come, although for a month we sent an invitation to him to appear, and the last invitation notified him that unless he came before our committee the

committee would be forced to pay attention to the rumors about him and drastic action would be taken. He again failed to appear, however. So, whatever has happened or may happen in that instance, is again the contractor's fault, and is not to be placed on the shoulders of the committee or any member of the committee. Gentlemen, we all know something about the unemployment situation in Boston. We were all surprised two weeks ago today on entering this hall to find these rooms crowded with men who were unemployed. Many of them were young men, men fairly well dressed, and yet they were here prepared to do whatever laborious work might offer, shoveling snow for the city, or anything else. You know, Mr. President and members of the Council, that a number of them were lying on the floor, they were so weakened through tramping the streets and not having proper food. So when his Honor the Mayor says that there is no unemployment in Boston, he would merely have to come upstairs here two flights to find an appalling condition. We hear a great deal about a crime wave. Let me suggest that if there were not so many young men unemployed, walking the streets of Boston out of work, there would be no crime wave. It is idle, of course, for me or anybody else to criticize the present situation, unless there is something constructive stated, some means of correcting it. I do feel that there are things that can be done. There is already appropriated \$650,000 for a pumping station in East Boston, and half a million dollars for the widening of Ashland street. Why not start on this work today? Six weeks from today the contractors of Boston will be bidding against each other for these men who are idle, but six weeks is a long time to wait when men are hungry, penniless and cold. I know in my ward men who are fathers of families who are in very desperate straits. One man is the father of six children, and he had been employed in a neighboring department store, and he came to me asking for city aid for the first time in his life. There has never been a time in the history of this city since 1914 when there were so many men looking for an honest day's work, walking the streets of the city begging for an opportunity to work. Perhaps we cannot solve the problem, but we cannot treat it lightly, we cannot make a joke of it, and any man in elective office who says it is no concern of his is making a serious mistake, so far as his elective position is concerned. Those contracts can be started. It is an open winter. There is no question but what this work could be started in East Boston, and also work on Ashland street. Many works of that kind could be gotten under way, and it would help to relieve the present very serious situation in this city. Let us all realize the seriousness of the situation, when there are so many deserving married men, men with families, willing to do almost anything if they can get a good week's work. It is all very well for his Honor to say that there are certain acts in connection with the running of a city that are executive, and that he assumes full responsibility for such acts, and he alone is held responsible in that connection for what takes place. But it would be just as wide of the mark for the president of a bank to feel that the board of directors of the institution were not to be held responsible for the action of the president as for his Honor the Mayor to take the position that this Council is not responsible for what may be done by the city. We are responsible to the citizens, just as he is. His Honor the Mayor may claim that it is no concern of the Council, that we have nothing to do with the expenditure of money. In that connection he referred to section 8 of the charter and warns me that I could be arrested and imprisoned for a year and have a fine of a thousand dollars imposed upon me for violating section 8 of the charter, because of attempting to get men employment. If that is the case, so be it. But I, Mr. Chairman, do not take that view of our rights or responsibilities here. I am not in this matter, Mr. President, looking for some cheap notoriety. I take the position I do on this matter because this is something of vital importance to us all. There is, perhaps, a difference of opinion. I will say this. When we have appropriated money, when we have voted for a specific sum—like a million dollars for Long Island almshouse or a quarter of a million for the removal of ashes and garbage in Dorchester, I agree that in the making of the contract we have no authority. And that is very fortunately so. But when that contract has been made and it comes to the spending of the money, I differ with the

opinion of any Corporation Counsel who says that we have no right and no responsibility in that matter. I say that we are directly responsible, and whether I am a member of this body for six months or for six years, I will watch the expenditure of every dollar that I have passed upon, sir. I will especially watch those whom I feel are lax in their duty. As I see my duty to the people, those who sent me here are going to hold me to account for the method of expenditure of every dollar that I have passed upon. I regard the opinion of his Honor the Mayor or the opinion of the Corporation Counsel, against my opinion, as, after all, only the opinions of men. In the opinion I have given to you as to the rights of the Council and as to the standing of the Council as a body in these matters I am backed up by some of the best legal men in Boston, with whom I have talked. But, even beyond that, sir, there is a law on the state books that gives the Council a power that they have never exercised. It is a power beyond any power held by his Honor the Mayor himself. He would convey to you, as Coun. Wilson says, the opinion that when a man is elected to this body he loses some of the prerogatives that he would have as a private citizen. As a private citizen he can intercede for a man and try to get work for him, but his Honor the Mayor would claim that the moment he becomes a member of this Council he loses that right, and that he has less power than an outside individual. Gentlemen, let me quote to you sections 8 to 11, inclusive, of chapter 233 of the General Laws of Massachusetts.

"Section 8. Witnesses may be summoned to attend and testify and to produce books and papers at a hearing before a city council, or either branch thereof, or before a board of selectmen, or before a board of police commissioners, or before a fire commissioner or a board of fire commissioners or a commissioner of public safety, or before a school board, or before a licensing board or licensing authorities for the granting of licenses for certain non-intoxicating beverages, as defined in section one of chapter one hundred and thirty-eight, or before a board of registrars of voters, or before the police commissioner or election commissioners of Boston, or before the metropolitan district commission, at any hearing before them, as to matters within their authority; and such witnesses shall be summoned in the same manner, he paid the same fees and be subject to the same penalties for default, as witnesses before district courts. The presiding officer of such council, or of either branch thereof, or a member of any such committee, board or commission, or any such commissioner, may administer oaths to witnesses who appear before such council, branch thereof, committee, board, commission or commissioner, respectively.

"Section 9. If a witness who has been so summoned and paid or tendered the proper fees fails to attend in pursuance thereof, the presiding officer of such city council, or of either branch thereof, or the chairman of such committee, board or commission, or any such commissioner, may issue a warrant to bring such witness before them, to testify in the case in which he was summoned.

"Section 10. A justice of the supreme judicial or the superior court, upon application of a tribunal authorized to summon but not to compel the attendance of witnesses and the giving of testimony before it, may, in his discretion, compel the attendance of such witnesses and the giving of testimony before any such tribunal, in the same manner and to the same extent as before said courts.

"Section 11. A justice of the supreme judicial or the superior court, upon the application of a magistrate or tribunal authorized to summon and compel the attendance of witnesses may, in his discretion, compel the giving of testimony by them before such magistrate or tribunal, in the same manner and to the same extent as before said courts."

That is the law. It is not my opinion. That is not my opinion; it is not the opinion of his Honor; it is not the opinion of any Corporation Counsel. It is bigger than that. It is the law of this Commonwealth, sir, and no man is bigger than the law. And so I would call that to the attention of his Honor the Mayor and the Corporation Counsel. Let me simply say in closing that I hope we will never have to put this into effect, but let those who have received the benefits of political preference, let those contractors who are the first to belittle men in this and other bodies that make possible their living, let those who

feed at the public crib and then are foremost in criticizing and belittling others, beware lest they feel the lash. And let me say in closing, that when the Mayor speaks of our cowardly, contemptible and vicious attitude, and says that his letter is sent in a spirit of good will and co-operation, I hope I may not be a member of this body when he sends a letter to us when he is mad. (Applause from the galleries.)

Coun. GUILD—Mr. President, I would have been much more impressed by the eloquence of Coun. McGrath if he had cited that part of the Mayor's letter in which he says, "I recognize the problem of unemployment as a public question of extreme importance," instead of putting into the Mayor's mouth the words that the problem was of no concern to him and that there is no unemployment. Those words are not in the Mayor's letter in any way, shape or manner, and it is not fair or square to anybody to put words in his mouth in any such way when he has not said them, but has said the direct opposite. It is not fair to do that in order to give a certain tinge to the situation. Coun. McGrath's remarks would have been much more impressive if he had discussed that sentence of the Mayor's letter in which the Mayor speaks about the manner of appointment of the committee. I am not entirely cognizant of the circumstances under which the committee was appointed, but it is my impression that it was duly appointed in the regular way in which all committees of this Council are appointed, and that the Mayor in his letter, while he says at the outset that he recognizes the importance of the unemployment situation, has taken the wrong slant by assuming that a committee of the City Council, of which Coun. McGrath is a member, and an active member, has been irregularly appointed. The whole difficulty and misunderstanding which has arisen between this Council and his Honor the Mayor, I believe, has arisen on account of the attitude he has taken that the committee is irregular. If I am misinformed as to the regularity with which that committee was appointed, I certainly hope steps will be taken immediately to make the committee as regular and duly authorized a committee as it is possible for any committee of this body to be.

Coun. McGRATH—Mr. President, just one word in answer to what Coun. Guild has said. We appointed here a committee on the subject of unemployment, with a request that his Honor the Mayor furnish to that committee one of his representatives, which he failed to do. In his failure to recognize a committee with such an important duty to perform, I say he was so lax that he does not even recognize the seriousness of the unemployment situation.

The report was accepted, and the message was placed on file.

#### MUNICIPAL BUILDING IN WARD 14.

Coun. GREEN, for the Committee on Finance, submitted a report on order (referred February 7) that \$500,000 be appropriated, to be expended by the Superintendent of Public Buildings, for a municipal building in Ward 14—that the same ought to pass.

Report accepted; said order passed, yeas 15, nays, Coun. Dowling, 1.

#### INCREASED SALARY FOR BUILDING COMMISSIONER.

Coun. DOWLING, for the Committee on Ordinances submitted a report on the ordinance transmitted by the Mayor (referred January 31) amending section 5 of chapter 3 of the Revised Ordinances of 1925 so as to establish the salary of the Building Commissioner at \$7,500 instead of \$6,000—that the same ought to pass.

Report accepted; ordinance assigned to the next meeting on motion of Coun. McGRATH.

#### OUTSIDE EMPLOYMENT OF CITY EMPLOYEES.

Coun. FITZGERALD offered the following: Ordered, That his Honor the Mayor be requested to have all heads of departments obtain



answers to the following questions, said questions to be submitted in writing to each and every employee employed by the City of Boston:

Name?  
Age?  
Residence?  
Married or single?  
How long employed by the City of Boston?  
Are you employed by any other firm, city, state, county, or the United States Government, and if so, for how long?

This statement to be signed and sworn to before a justice of the peace or notary public.

Coun. FITZGERALD—Mr. President, my purpose in introducing that order is because of the large number of people who are unemployed in this city at the present time. If I am correctly informed,—and I have no proof except what has been stated to me by certain people—there are a large number of persons employed by the City of Boston who are also drawing salaries from outside firms, who are also working for the county, for the post office, working at different occupations besides working for the city, while men are walking the streets seeking employment. The City of Boston is a pretty good paymaster, one who never fails to come, who is always on time, and the city gives steady employment. While men working for outside employers are perhaps loafing four or five months in the year, those working for the city keep busy all the time. An outside plumber may get pretty good pay, but he does not have steady work, and it is the same with a carpenter or a plasterer, or a man in any other trade or business. In every other occupation there are dull seasons and men are laid off. The present situation in our city, because of unemployment, is deplorable. We see a large number of young men, young men with good educations and who should have reasonable hope for the future, with nothing to do; young men recently married, who find themselves with a family and out of employment. Thousands are being dropped by the telephone and other corporations. The City of Boston ought to clean house. I have no fear, if this order is passed, and these people must go before a justice of the peace or a notary public and swear to their statements, that they will tell the truth, and if they are working for outside concerns, if they are working for the county, working for the post office, we will know it. One job is enough for them. We all know how hard these people fight for their positions with the city. They get on the civil service list and they are around after you night and day, making thousands of promises of what they will do if they can get employment from the city, and assuring you that if they can do so they will be content. In addition to their regular employment and pay, they also enjoy a pension system. The man outside, who drives a coal team, who digs a ditch, who climbs a pole, who is a painter, enjoys no such conditions as are enjoyed by those who work for the City of Boston and the County of Suffolk. Let us get at the root of this matter and settle it once and for all. I am told of one case where one person draws three distinct salaries; and another thing that is deplorable and nauseating to every decent individual, anybody who has the least bit of pride, is the fact that these married women, whose husbands are working for the city and whose husbands are drawing fat salaries, take the places that belong to men who are walking the streets. To me that situation is nauseating. I don't know how the other members of the body feel about it. Personally, I believe this taking of such positions by married women should stop at once. They have no right to do that sort of thing. I don't doubt, when we come to look over the lists in my ward or in your wards, we will find hundreds of such cases. I represent a ward with a population of 80,000, and I don't think there are 200 people in the entire ward employed by the city and state. Men who work hard, laboriously, comprise the great population of the district, and you will find a similar situation probably in every other district. Such people are in the majority. I have no fear as to whom this order will hit. I know at the moment nobody whom it will hit, and if it does hit anybody I know I will have no apology to offer, because I don't think it is fair that they should do as they do. I can remember a time when it was not tolerated in this city, when we had men in control who had the nerve to stand up and refuse to allow these people to be so employed, who would under circumstances

such as are confronting our people today clean them out and give the unemployed a chance to get positions. Let them choose between the jobs they have with the city and their outside jobs. There are men working for the post office, and also no doubt for departments of this city, who are practicing law. A while ago there was a photograph in one of the papers showing a picture of a man enjoying one of the fattest jobs in City Hall, defending a man on trial for his life. Why, it is getting deplorable. They get admitted to the bar and then refuse to give up their positions, but continue in their jobs and also practice law, drawing right along their salaries from the city or county. In the days of Collins, of Matthews, yes, of Quincy, they would have been cleaned out, but they say now, "They are good fellows, don't touch them," and when the time for a political campaign comes around they are so-called leaders and want to dictate to members of the Council and everybody else. The time was when we had mayors in this city with backbone and courage, who would not stand for that sort of thing for one moment, and there are men in this chamber who know that what I say is true, who know what men of that type would have done under the circumstances. They would have cleaned out such employees in no time. But now we have to submit to this sort of thing because they are so-called "good fellows." You find them in these different places today, crowding into employment where they should not be, receiving salaries that should belong to those who are now unemployed. I sincerely hope there will be no objection to the order, but that it will go through. (Applause from the galleries.)

Coun. GUILD—Mr. President, supplementing the remarks of Coun. Fitzgerald, let me say that there would seem to be considerable information that may be produced through his order that would be of special value to the Committee on Residences of Municipal Employees. I would, therefore, greatly appreciate it if the order could be so framed that the information it asks for would be put into the hands of that special Committee on Residences of Municipal Employees. It is not alone the question of unemployment that is an important one today in the City of Boston. There are thousands of unemployed and there are thousands who are not residents of Boston, who are doing work for the City of Boston. That condition should be changed, as well as dealing merely with the question of unemployment as is here proposed. (Applause from the galleries.) I feel that the special committee of the Council on Residences of Municipal Employees could very well use the information which Coun. Fitzgerald's order calls for, and if I may have leave to do so orally, I move that the order be so amended that the information shall be imparted to the Committee on Residences of Municipal Employees.

Coun. FITZGERALD—Mr. President, I am perfectly agreeable to that.

Coun. BUSH—Mr. President, having in mind Coun. Guild's proposed amendment, I would merely suggest that, as the order is now framed, it requests the Mayor, either directly or through the department heads, to furnish this information and that when the information is obtained it can be furnished by the Council to the Committee on Residences of City Employees.

Coun. GUILD—Mr. President, that will be satisfactory to me.

The order was passed under suspension of the rule.

#### REPAVING OF LEXINGTON STREET.

Coun. DONOVAN offered the following:  
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Lexington street, Ward 1.

Passed under suspension of the rule.

#### TRAFFIC OFFICER, EGLESTON SQUARE.

Coun. ENGLERT offered the following:  
Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to assign a traffic officer to permanent duty at Eggleston square, Ward 11.

Passed under suspension of the rule.



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WESTMINSTER ROAD, WARD 11.

Coun. ENGLERT offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Westminster road, Ward 11.

Passed under suspension of the rule.

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## ACCEPTANCE OF BACK STREET.

Coun. GILBODY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept Back street, between Arlington street and Massachusetts avenue, to widen and improve said street, and to name the same Memorial Drive in honor of the men from Boston who lost their lives in the World War.

Referred to Committee on Public Lands.

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## SIDEWALK ON CORNELL STREET.

Coun. WRAGG offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Cornell street, both sides, between Washington and Kittredge streets, Ward 18, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite

edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

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## FRAWLEY STREET, WARD 10.

Coun. FREELEY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Frawley street, Ward 10.

Passed under suspension of the rule.

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## ARC LIGHT, WARD 11.

Coun. FREELEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an electric arc light at the corner of Cherokee and Pontiac streets, Ward 11.

Passed under suspension of the rule.

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## GENERAL RECONSIDERATION.

On motion of Coun. GUILD a general reconsideration of all action taken today was refused.

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Adjourned, on motion of Coun. McGRATH, at 4.35 p. m. to meet on Monday, March 14, at 2 p. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Monday, March 14, 1927.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President HEFFERNAN in the chair, and all the members present.

## COMMUNICATION FROM BUDGET COMMISSIONER.

The following was received:

City of Boston,  
Office of the Mayor, March 14, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Budget Commissioner in reply to your order of February 7, 1927, relative to convenience station at Codman square, Dorchester, and matter of construction of Washington street section of the so-called Morton street improvement.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Budget Department, February 25, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—The erection of convenience stations throughout the city is under the control of the Health Department, consequently, the first step leading toward the construction of a new station should naturally be a recommendation by the Health Commissioner in the budget estimates of his department that an appropriation sufficient to meet the construction costs of such a station be allowed. The budget estimates of the Health Department for 1927, now on file in this office, contain no such recommendation.

An appropriation for the laying out, widening and construction of the Washington street section of the so-called Morton street improvement should properly be made the subject of a loan, since the life of the proposed improvement will extend over a long period of years. Loan appropriations are not included directly in the tax levy but are reflected in the appropriations made for interest and serial loan requirements.

Respectfully,  
CHARLES J. FOX,  
Budget Commissioner.

Placed on file.

## EXPENSE OF ROADWAY OVER SHAWMUT BRANCH.

The following was received:

City of Boston,  
Office of the Mayor, March 14, 1927.

To the City Council.

Gentlemen,—In reply to your order under date of March 7 relative to the expense of construction of a roadway or street for pleasure vehicles over the tunnel or araway of the Shawmut Branch of the Cambridge Tunnel, I am advised by the Street Laying-Out Department that an informal investigation warrants the Board in saying that the expense of same would be in the neighborhood of \$1,250,000.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Later in the session Coun. WILSON said:

Mr. President, I would like to say just a word with reference to the letter from the Mayor's office in response to the order passed by the City Council on March 7, at which time—with Coun. Guild's corrections—I asked the Mayor the result, if any, of the investigation made by the proper departments as to the expense of construction of a roadway or street over the tunnel or araway of the Shawmut Branch extension. I think it might be readily understood that our order suggested something more in the way of investigation, for instance, than would be implied in a request from a man

running a City Hall elevator, or from some one else who would not naturally be expected to have intimate knowledge of the matter in question. But this is what the Mayor says:

"In reply to your order under date of March 7 relative to the expense of construction of a roadway or street for pleasure vehicles over the tunnel or araway of the Shawmut Branch of the Cambridge Tunnel, I am advised by the Street Laying-Out Department that an informal investigation"—whatever that is—"warrants the Board in saying that the expense of same would be in the neighborhood"—whatever that is—"of \$1,250,000."

In the first place, I cannot see what the Street Department has to do with this work now being carried on by the Transit Commission; and I also feel that when this body—including the other members as well as myself as an individual—asks for an investigation in regard to a matter of this sort, it is entitled to something more than "an informal investigation," whatever that may be.

The communication was placed on file.

## RADICAL PUBLICATIONS AMONG SCHOOL CHILDREN.

The following was received:

City of Boston,  
Office of the Mayor, March 14, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Department in reply to your order of March 7, 1927, in relation to dissemination of radical publications among young school children in the City of Boston. I shall be pleased to submit any further information, from time to time, which may be available.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Police Department, March 11, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mayor Nichols,—I am in receipt of your letter of the 10th instant, relative to order of the City Council, requesting me to co-operate with the District Attorney as to continued dissemination of radical publications among young school children in the City of Boston.

I wish to state that I presume this communication refers to the publication called the "Spark." An officer of this department made a complaint against Alter Rosenberg, publisher of the "Spark" and Judge Joseph N. Palmer of the Roxbury Municipal Court refused to grant a warrant on the grounds that there was nothing in the publication in violation of the statutes.

Yours respectfully,  
HERBERT A. WILSON,  
Police Commissioner.

Placed on file.

## OPINION OF CORPORATION COUNSEL IN RE CHAPTER 272.

The following was received:

City of Boston,  
Office of the Mayor, March 14, 1927.  
To the City Council.

Gentlemen,—In accordance with request of your honorable body of February 28, 1927, I am transmitting herewith copy of opinion of the Corporation Counsel relative to reasons for vetoing the resolution of the City Council for legislation to amend chapter 272 of the General Laws.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Law Department, February 24, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have before me for my consideration the following order of the City Council:

"Ordered, That his Honor the Mayor be authorized, in the name and on behalf of the City of Boston, to petition the Massachusetts Legislature during its present term, for legislation to strike out section 102 of chapter 272 of the General Laws of 1921, which reads 'the three preceding sections (99, 100, and 101) shall not apply to a corporation subject to the jurisdiction of the department of

public utilities of the commonwealth or to the jurisdiction of the interstate commerce commission, or to the employees of any such corporation while engaged in the conduct of its business."

I would advise your Honor that it would not be wise at this time to file the petition suggested by this order, first, because I do not believe the Legislature would admit it at this time; secondly, because I believe there is sufficient legislation to take care of the situation presented by this order. The order is undoubtedly aimed at the New England Telephone and Telegraph Company and seeks to prevent alleged tapping of telephone wires. The New England Telephone and Telegraph Company is a common carrier, engaged in the transmission of intelligence by electricity, as prescribed by section 12, chapter 159, General Laws, and is under the jurisdiction of the Department of Public Utilities.

Section 13, chapter 159, General Laws, provides: "The department may inquire into the rates, charges, regulations, practices equipment and services of common carriers in this commonwealth, and elsewhere, rendering any service of a kind subject to its jurisdiction."

Under this section if the Department of Public Utilities finds that the Telephone Company is using its equipment for the purpose of eavesdropping and in order to secure information in violation of the spirit of sections 99 to 100, inclusive, of chapter 272, it may, by its order, require the company to refrain from so doing. The legislation contained in chapter 272, which is the subject matter of the order of the Council, was enacted for the purpose of preventing the securing of information by means of the dictagraph or dictaphone. It was not intended to apply to a public utility like the Telephone Company which might find it convenient or necessary to make certain tests in order to render better service or to correct defects in its equipment. If the Telephone Company is indulging in the practice of eavesdropping and for the purpose of securing information improperly against individuals or public officials, this matter should be brought to the attention of the Department of Public Utilities and if the complaint is sustained, the department has sufficient authority, in my opinion, to compel the company to desist from such practices. (See *Western Union Telegraph Co. v. Foster*, 224 Mass. 365.)

I advise your Honor, therefore, to withhold your approval of this order and to veto the same for the reasons given hereinbefore.

Yours very truly,

FRANK S. DELAND,  
Corporation Counsel.

Placed on file.

#### CONTRACTORS BIDDING ON SHAWMUT BRANCH EXTENSION.

The following was received:

City of Boston,  
Office of the Mayor, March 14, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the City Auditor in reply to your order of March 7, 1927, relative to names of contractors who bid on the construction of so-called Shawmut Branch extension.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Auditing Department, March 14, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Sir,—In compliance with an order of the City Council, approved March 7, 1927, requesting the name and address of each contractor who made any bid or bids for the construction of the so-called Shawmut Branch extension, the inclosed list is respectfully submitted.

Very truly yours,  
RUPERT S. CARVEN,  
City Auditor.

List of bidders on various contracts for construction of the so-called Shawmut Branch extension:

No. 1.—Bidders on building Section K, Dorchester Tunnel: C. & R. Construction Company, 67 Harrison street, Roslindale; Coleman Brothers, Inc., 245 State street, Boston; M. F. Gaddis, 2A

Victoria street, Dorchester; Reynolds Brothers, Inc., 179 Summer street, Boston; Simpson Brothers Corporation, 77 Summer street, Boston; A. G. Tomasello & Sons, 68 Devonshire street, Boston.

No. 2.—Bidders on building Section One (from Dorchester avenue to Harrison square): Alco Contracting Company, Inc., 43 Tremont street, Boston; C. & R. Construction Company, 67 Harrison street, Roslindale; Coleman Brothers, Inc., 245 State street, Boston; J. C. Coleman & Sons Company, 1620 Tremont street, Roxbury; James J. Coughlan & Sons, Inc., 27 School street, Boston; M. F. Gaddis, 6 Beacon street, Boston; B. E. Grant Company, Floyd street, Roxbury; John McCourt Company, 910 Huntington avenue, Roxbury; Reynolds Brothers, Inc., 179 Summer street, Boston; Simpson Brothers Corporation, 77 Summer street, Boston; T. Stuart & Son Company, 222 Pearl street, Newton, Mass.; A. G. Tomasello & Son, Inc., 68 Devonshire street, Boston.

No. 3.—Bidders on furnishing certain electrical equipment for Harrison Square Sub-Station, Dorchester Rapid Transit: General Electric Company, 84 State street, Boston; Westinghouse Electric and Manufacturing Company, 10 High street, Boston.

No. 4.—Bidders on building Section Two (between Clayton street and Geneva avenue): C. & R. Construction Company, 75 Braden street, Roslindale; Paul Caputo, 363 Hanover street, Boston; Coleman Brothers, Inc., 245 State street, Boston; J. C. Coleman & Sons Company, 1620 Tremont street, Roxbury; James J. Coughlan & Sons, Inc., 27 School street, Boston; M. F. Gaddis, 6 Beacon street, Boston; V. Grande, 22 Hull street, Boston; Reynolds Brothers, Inc., 179 Summer street, Boston; Simpson Brothers Corporation, 77 Summer street, Boston; A. G. Tomasello & Son, Inc., 68 Devonshire street, Boston.

No. 5.—Bidders on building Section Three (between Geneva avenue and Peabody square): C. & R. Construction Company, 75 Braden street, Roslindale; Coleman Brothers, Inc., 245 State street, Boston; J. C. Coleman & Sons Company, 1620 Tremont street, Roxbury; James J. Coughlan & Sons, Inc., 27 School street, Boston; James H. Fannon, 39 Powder House terrace, Somerville; M. F. Gaddis, 6 Beacon street, Boston; Powers Brothers, Brockton, Mass.; Reynolds Brothers, Inc., 179 Summer street, Boston; Simpson Brothers Corporation, 77 Summer street, Boston; T. Stuart & Son Company, 222 Pearl street, Newton; A. G. Tomasello & Son Corporation, 68 Devonshire street, Boston.

No. 6.—Bidders on building Harrison Sub-Station: John Bowen Company, 184 Dudley street, Boston; Coleman Brothers, Inc., 245 State street, Boston; J. C. Coleman & Sons Company, 1620 Tremont street, Roxbury; John P. Curley, 108 Dudley street, Boston; John B. Dolan, 43 Tremont street, Boston; J. F. Fitzgerald Construction Company, 294 Washington street, Boston; J. P. Foley & Sons, 80 Boylston street, Boston; M. S. Kelliher Company, 21 North Munroe terrace, Dorchester; Thomas Mulcare, Inc., 66 Western avenue, Brighton; A. Piotti Company, 708 Dudley street, Boston; Simpson Brothers Corporation, 77 Summer street, Boston; Joseph Slotnick, 448 Broadway, Chelsea; A. G. Tomasello & Son Corporation, 68 Devonshire street, Boston.

No. 7.—Bidders on building Columbia Station Entrance-Exit building and adjuncts, Section One: John Bowen Company, 174 Dudley street, Boston; Joseph P. Foley & Son, 80 Boylston street, Boston.

Placed on file.

#### APPROPRIATION FROM PARKMAN FUND.

The following was received:

City of Boston,  
Office of the Mayor, March 14, 1927.  
To the City Council.

Gentlemen,—I am in receipt of a communication from the chairman of the Park Commissioners in which it is requested that an appropriation of \$15,000 be made available from the income of the Parkman Fund for the construction of additional concrete walks at the "Greeting" in Franklin Park. In the opinion of the chairman of the Park Department the immediate construction of these walks is absolutely necessary in order to accommodate the large crowds that visit the bird house and the elephant house in the park. I submit herewith an order covering the appropriation of the desired



amount and respectfully recommend its adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$15,000 be and the same hereby is appropriated from the income of the Parkman Fund, to be expended under the direction of the Park Commission, for the maintenance and improvement of the Common and parks in existence on January 12, 1887, as follows: Franklin Park, Improvements, \$15,000.

Referred to the Committee on Parkman Fund.

#### APPOINTMENT BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointment for the term ending April 30, 1927:

Weighter of Coal: Charles J. Hurley, Jr., 78 Harvard street, Dedham, John A. Whittemore's Sons.

Laid over for a week under the law.

#### PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

##### Claims.

Rose Amorose, for compensation for injuries caused by an alleged defect at 52 Porter street.

Louis Brandy, for compensation for injuries caused by an alleged defect at 56-69 Fulton street, Boston.

Rose Costa, for compensation for injuries caused by an alleged defect at 18 Salem street.

Ernest M. Fifield, for refund on water bill.

Helen S. Francis, for compensation for injuries caused by an alleged defect at 194 Brookline avenue.

Catherine Gannon, for compensation for injuries caused by an alleged defect at 38 Portland street.

Samuel Glick, for compensation for damage to automobile caused by an alleged defect in Columbia road.

Esther Goodman, for compensation for injuries caused by an alleged defect at 166 Quincy street.

Max H. Green, for compensation for damage to automobile caused by an alleged defect at Hanover street and Tremont row.

Frank H. Hayford, for compensation for loss of hens killed by dogs.

Simon Hirshon, for compensation for injuries caused by an alleged defect in Commonwealth avenue.

Home Wall Paper Company, for compensation for damage to stock at 17 Causeway street, caused by leak in water pipe.

Harold H. Hookway, for compensation for damage to automobile by city truck.

George F. Lee, for compensation for injuries caused by an alleged defect in Mystic street.

L. H. Marshall, for refund on refuse tickets.

J. Leo Meehan, for compensation for damage to automobile by city wagon.

Joseph Monte, for compensation for injuries caused by an alleged defect at 1A Garden Court street.

Angelo Norello, for compensation for injuries received on ferryboat.

Louise B. Noren, for compensation for injuries caused by an alleged defect at 1682 Commonwealth avenue.

Julia M. O'Brien, for compensation for damage to property by ash truck.

Antonina Peroni, for compensation for injuries caused by an alleged defect in Market street.

Jeannette C. Portal, for compensation for injuries caused by an alleged defect in Harris avenue and Centre street.

Agnes B. Porter, for compensation for injuries caused by an alleged defect at 41 King street.

W. B. Reagan, for compensation for damage to overcoat caused by painted bench in Public Garden.

Annie Resnick, for compensation for injuries caused by an alleged defect at 6 and 8 Eaton street.

Angelo Rizzo, for compensation for injuries caused by an alleged defect in Gove street, East Boston.

Marion P. Sawyer, for compensation for damage to property at 71 Perkins street, Jamaica Plain, caused by ash truck.

William R. Sullivan, for compensation for damage to truck by city employee.

Frank L. Warren, for compensation for damage to automobile caused by an alleged defect at 115 Court street.

#### Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Mrs. Raymond Gilbert, Municipal Building, Roslindale, March 17.

Rev. William H. McDonough, St. Mary's Hall, Lilla Frances Viles, Current Events Clubhouse, May 7.

#### RESIGNATION OF CONSTABLE.

Notice was received from the Mayor of the acceptance of resignation of Joseph M. Levi, Jr., as constable for City of Boston.

Placed on file.

#### APPROVAL OF CONSTABLE'S BOND.

The constable's bond of Ralph J. Banks, having been duly approved by the City Treasurer, was received and approved.

#### SHOWER BATHS, ETC., IN SCHOOLS.

The following was received:

City of Boston,

School Committee, March 9, 1927.

Mr. James Donovan, City Clerk.

Dear Sir,—I inclose herewith copy of a report of the superintendent, to whom was referred at the meeting of the School Committee held on October 25, 1926, order passed by the City Council on October 4, 1926, relative to the installation of shower baths and gymnasias equipment in certain schools throughout the city.

This report was duly presented to the School Committee at its meeting held on Monday, March 7, 1927. The report was accepted and a copy ordered transmitted to the City Council.

Very truly yours,

ELLEN M. CRONIN, Secretary.

City of Boston,

School Committee, March 7, 1927.

To the School Committee.

Under date of October 4, 1926, the City Council passed the following order:

Ordered, That the Boston School Committee be requested, through his Honor the Mayor, to consider the advisability of installing shower baths and gymnasias equipment in all the old schools throughout the city that are not so equipped at the present time.

At the meeting of the School Committee held on October 25, 1926, the order of the City Council was presented and was referred to the superintendent for consideration and report.

In accordance therewith, the superintendent submits the following statement, with the suggestion that the same be forwarded to the City Council of Boston:

At the present time showers are provided in The Teachers College, in thirteen of the sixteen high schools, in the Boston Trade School (for boys), in the Boston Clerical School, in three intermediate school buildings, and in one elementary school building.

There are gymnasias in The Teachers College, in fifteen of the sixteen high schools, in the Boston Clerical School, in the Boston Trade School, in three intermediate and one elementary school buildings.

Under date of November 6, 1923, the Director of Physical Education, in reply to a request from the superintendent, stated that the showers were not used in the Girls' High School, the Girls' Latin School, the Dorchester High School for Girls, the High School of Practical Arts, and the Roxbury High School; and that the showers were not used by girls at the Jamaica Plain High School. The director at that time approved the request of the head master of the Girls' High School that the showers there be removed to give more locker space. At the time this statement was made by the Director of Physical Education, the only showers in use by girls were those in The Teachers College. Showers were used by boys throughout

the year in the Public Latin School, Dorchester High School for Boys, East Boston High School, South Boston High School, and the Boston Trade School. They were used by boys throughout the track season at Brighton High School, Charlestown High School, English High School, and High School of Commerce, and were used on rare occasions by boys at the Jamaica Plain High School. It was evident from the study of the director that showers were not at all popular with the girls, and were not used as extensively as they might be by boys, except in connection with athletics.

As a result of this report it was decided that no further provision for installing shower baths in any school building should be made until the superintendent or the Board of Apportionment should determine the need.

It is possible that the City Council did not fully realize the scope of the expression "all the old schools throughout the city"—as the expense involved in installing shower baths in all these schools would be enormous. Only a careful survey under the direction of the School Committee or the Schoolhouse Department could designate buildings in which suitable space could be found for showers; and no less careful consideration would be necessary in the selection of districts in which the use made of such accommodations would be sufficient to warrant the expense involved.

Since a general installation of showers is entirely beyond the present financial resources of the School Committee, the only thing possible is to investigate and report upon the conditions obtaining in the particular buildings that the Council may see fit to designate.

Respectfully submitted,

JEREMIAH E. BURKE,

Superintendent of Public Schools.

Placed on file.

#### STORAGE AND SALE OF GASOLINE.

A communication was received from the Street Laying-Out Department of the Board of Street Commissioners stating that hearings will be given on Monday, March 28, 1927, on the following petitions for storage and sale of gasoline:

City Land Company, 33-39 Allerton street, Ward 8, 4,000 gallons.

Benjamin Langillo, 19 Lawrence street, Ward 2, 1,000 gallons.

Referred to the Executive Committee.

#### EMPLOYMENT OF RESIDENTS.

Coun. GUILD offered the following:

Ordered, That section 12 of chapter 3 of the Revised Ordinances of 1925 be and the same hereby is amended by striking out the words in the second sentence, "but citizens, and, if male subordinates," and by inserting at the end of the first sentence the words, "but may employ minors who are otherwise properly qualified, whose legal domicile is in the City of Boston," so that said first sentence shall read:

"Section 12. Every officer in charge of a department shall employ, fix the compensation of, and may discharge for such cause as he shall deem sufficient and cause to be recorded in the records of the department, all subordinates in his department, but shall employ none but legal voters of Boston, in any capacity; but may employ minors who are otherwise properly qualified, whose legal domicile is in the City of Boston."

Referred to the Committee on Ordinances.

#### ACTION OF SCHOOL COMMITTEE IN RE "RED" PROPAGANDA.

The following was received:

City of Boston,

School Committee, March 12, 1927.

Mr. James Donovan, City Clerk.

Dear Sir,—At last Monday's meeting of the School Committee, Mr. Sullivan referred to an article which he had read in the afternoon edition of one of the daily papers concerning the action of the City Council of that date demanding an investigation concerning the recent distribution of the so-called "Red" propaganda in the vicinity of some of the school buildings of the city.

Mr. Sullivan spoke in terms of appreciation of the purpose of the City Council to stamp out the attempt on the part of some unknown persons to circulate offensive and harmful material among school children, and asked that the City Council be assured of the committee's appreciation of the Council's attitude.

Mr. Sullivan asked further that the Council be informed that this matter came to the attention of the superintendent several weeks ago, at the time the first pamphlet was distributed. The superintendent immediately began an investigation and satisfied himself that the principal of the district in which section the material was distributed had acted promptly and effectively.

Mr. Sullivan feels that the members of the Council appreciate that the Superintendent of Schools, Dr. Jeremiah E. Burke, is in every way competent and sufficiently determined to lead whatever campaign may be necessary in this drive against the distribution of "Red" propaganda in the vicinity of our schools, and for the committee assures the members of the Council that the superintendent does and will continue to appreciate the co-operation of all of our governmental agencies. The superintendent will not hesitate to call upon these agencies for assistance whenever action shall warrant, feeling sure that the assistance will be generously given.

In the meantime the superintendent, in pursuance of his determination to control the situation, has addressed the principals of schools and districts on the subject and a copy of this statement is inclosed for the information of the Council and in order that the members may be fully informed of the superintendent's attitude and efforts in the matter.

Following Mr. Sullivan's discussion at the meeting, Mr. O'Hare asked that the superintendent, in continuing his investigation, ask principals to instruct teachers in charge of buildings to be especially vigilant in guarding the school children and preventing distribution of any further material of this nature, any questionable literature or material of any kind to be immediately forwarded to the superintendent.

Very truly yours,

ELLEN M. CRONIN, Secretary.

#### REMARKS BY THE SUPERINTENDENT BEFORE PRINCIPALS AND DIRECTORS, MARCH 11, 1927.

A school principal recently notified the superintendent that some person or persons wholly distinct and dissociated from our school system was circulating defamatory printed material in the neighborhood of certain school buildings. The superintendent immediately called one of the schools in question and was gratified to learn that the principal of this school already had assembled his pupils, had called their attention to the unpatriotic publication and had enlisted the pupils' co-operation in nullifying the evil effects thereof.

I cite this merely as illustrative of the solitude and alertness exercised by all our school principals in detecting and in resenting slanderous assaults upon the institutions of our country, and upon the lives of its patriots and benefactors. From the very outset the common schools have stood conspicuously as the bulwarks of American liberties. All these schools, public and private alike, have taught love for country and loyalty to the flag. More particularly during the past few years teachers of Boston have been building up a far-reaching and constructive program in character and citizenship training. Our entire staff has been diligently engaged in accumulating and organizing a wealth of material for instructional purposes. A period of every day's program in all public schools of the city is set aside for definite and approved instruction, the object of which is the cultivation of personal and civic virtues. There is no doubt about the importance or the success of this undertaking. Its effectiveness is attested by the spontaneous repudiation by pupils themselves of this recent cowardly attack upon the ideals they have learned to cherish.

School men and women have full faith in our boys and girls. You and I know that our youths will not be led astray by false alarms. Nevertheless, we cannot disregard such incidents as the dissemination of poisonous propaganda in the vicinity of school buildings. Eternal vigilance is the price of liberty. Let us continue to be eternally on our guard. If poisonous seeds are sown let us indignantly uproot them; and in their place cul-



tivate respect for law and order, fidelity to principle, and devotion to all that the term "American civilization" connotes.

So persevere! Detect and overthrow the wrong! And, worthy master-craftsmen that you are, incorporate into these immortal structures you are rearing convictions of the right!

Placed on file.

#### CONSTRUCTION OF ORANGE STREET.

Coun KEENE offered the following:

Ordered, That the Board of Street Commissioners be requested to accept and construct as a public street Orange street, Ward 20, from Cornell street to the West Roxbury Parkway.

Passed under suspension of the rule.

#### CITY BUILDINGS, RUTHERFORD AVENUE

Coun GREEN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to take immediate steps to demolish the dilapidated and unsightly buildings located in the city yards on Rutherford avenue, in the Charlestown district, which constitute a health menace and fire hazard to the residents of said district, and that provision be made to replace the same by the erection of a modern, fireproof building to house the Sewer, Street Cleaning, Sanitary and Paving Services of said district.

Passed under suspension of the rule.

#### PHYSICAL EXAMINATION OF FIREMEN.

Coun. DOWD offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to rescind his rule that men eligible for promotion are compelled to submit to a physical examination.

Referred to the Executive Committee.

#### HIRING OF CITIZENS AS CHECKERS.

Coun. DOWD offered the following:

Ordered, That the Board of Traffic Survey be requested, through his Honor the Mayor, to hire as checkers on the work of the Board, citizens of Boston only.

Coun. DOWD—Mr. President, recently this Council passed an appropriation order for \$25,000 for a traffic survey in Boston. It has recently been called to my attention that Professor McClintock of Harvard has decided that the only men whom he can use as checkers are Harvard boys during the summer time. I believe that if the City of Boston is spending \$25,000 for checkers in connection with a traffic survey in this city, the least that Professor McClintock and the Mayor can do, in the interest of our citizens, is to hire Boston boys for this work, and not boys from the Gold Coast of Harvard College.

Coun. GUILD—Mr. President, I observed that the learned counselor who has just taken his seat did not state definitely that Professor McClintock had said he was going to hire Harvard boys, but said that some such matter had been called to his attention; perhaps the counselor can inform us definitely whether or not any of this money is going to be spent in that way.

Coun. DOWD—Mr. President, I believe Professor McClintock at one of our executive meetings said he would have to hire thirty, forty or fifty checkers in various parts of the City of Boston, and it has just come to my attention that he intends to hire Harvard boys at \$7 a day.

Coun. WILSON—Mr. President, may I inquire of the counselor where the Gold Coast is? (Laughter.)

Coun. DOWD—Mr. President, I believe if the counselor ever attended Harvard—which I did not have the privilege of doing—he probably can answer the question better than I can. (Laughter.)

The order was passed under suspension of the rule.

#### SAVIN HILL BEACH.

Coun. McGRATH offered the following:

Ordered, That the Park Department be requested, through his Honor the Mayor, to take whatever steps may be necessary to make Savin Hill Beach available for recreation and bathing purposes for the coming summer season.

Passed under suspension of the rule.

#### COULTERS BEACH.

Coun. GILBODY offered the following:

Ordered, That his Honor the Mayor request the Park Commissioners to take whatever steps may be necessary to make Coulters Beach available for recreation and bathing purposes for the coming summer season.

Passed under suspension of the rule.

#### MUNICIPAL RADIO BROADCASTING STATION.

Coun. WARD offered the following:

Ordered, That his Honor the Mayor be requested to appoint an unpaid committee of public-spirited citizens to investigate and report on the advisability of establishing a municipal radio broadcasting station in the City of Boston, with an estimate of the expense of installation and operation, and a tentative statement of the possible revenue to be derived therefrom.

Referred to the Executive Committee.

#### PAVING OF WEST THIRD AND E STREETS.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave West Third street, from B street to Dorchester street, and E street, from West First street to Fourth street, South Boston, with smooth pavement.

Passed under suspension of the rule.

#### HOLIDAY ON EVACUATION DAY.

Coun. MAHONEY offered the following:

Ordered, That his Honor the Mayor be authorized and requested to grant a holiday, without loss of pay, to all city employees who participate in the parade on Evacuation Day.

Passed under suspension of the rule.

#### ANNUITY TO WIDOW OF JAMES J. QUINN.

Coun. FREELEY offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of James J. Quinn, late member of the Boston Fire Department, who died from injuries received in the performance of his duty, such annuity to continue so long as said widow remains unmarried and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Referred to the Executive Committee.

#### LAYING OUT OF IROQUOIS STREET.

Coun. FREELEY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Iroquois street, Ward 10.

Passed under suspension of the rule.

#### SIGNAL SYSTEM, CITY HALL ELEVATORS.

Coun. DOWLING offered the following:

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to have the electric signal system of the elevators in the City Hall Annex repaired at once.

Coun. DOWLING—Mr. President, I wish to say simply a word on this order, emphasizing the



apparent indifference of the Public Building Department to this matter. Every member of this Council has occasion to visit the Annex several times a day, probably, and understands what the situation is. Councilors and thousands of other people have business to transact there with the Collection Department and various other departments of the city, and all who do so have occasion to realize that the electric signal system in connection with the elevators there amounts to almost nothing at all. If time means anything in money—and I think we must all realize that it does, because the city laborer is guaranteed at least 65 cents an hour—there must be thousands of dollars lost in this way every day. I hope for the sake of people doing business in the Annex that the Mayor will send to the Public Buildings Department an order that this matter be given immediate attention.

The order was passed under suspension of the rule.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President HEFFERNAN called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor March 7, 1927, of Julius Ansel and Abraham I. Weiss, to be Constables.

The question came on confirmation. Committee, Coun. Wilson and Dowd. Whole number of ballots 18, yeas 18, and the appointments were confirmed.

#### RECESS.

On motion of Coun. BUSH, the Council voted at 2.39 p. m. to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President HEFFERNAN at 3.14 p. m.

#### REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. WARD for the Committee on jitney Licenses submitted report on petition of the Boston Elevated Railway (referred January 24) for a change in the ordinance relative to passengers carried on jitneys—that the committee believe that some change of the nature indicated by the petition of the railway company is advisable, and accordingly recommend reference of the petition to the Committee on Ordinances.

Report accepted; said reference ordered.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted reports as follows:

1. Report on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, recommending that leave be granted, as follows:

Mrs. Raymond Gilbert, Municipal Building, Roslindale, March 17.  
Rev. William H. McDonough, St. Mary's Hall, March 17.  
Lilla Frances Viles, Current Events Club-house, May 7.

Reports accepted; permits granted on usual conditions.

#### ORDINANCE REPORT.

Coun. DOWLING, for the Committee on Ordinances, submitted the following:

1. Report on ordinance submitted by the Mayor (referred February 7) for the transfer of certain powers and duties of the trustees of the Boston Sanatorium to the Health Commissioner, and the control and management of the Boston Sanatorium at Mattapan to the trustees of the Boston City Hospital,—that the same ought to pass.

Report accepted; said ordinance adopted.

2. Report on ordinance (referred last year) transferring Boston Sanatorium Department to Hospital Department,—that no further action is necessary.

Report accepted.

3. Report on ordinance (referred from last year) to abolish the Boston Sanatorium Department,—that no further action is necessary.

Report accepted.

#### SOLDIERS' RELIEF.

Coun. ENGLERT, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of March, 1927 (under the provisions of chapter 115 of the General Laws and acts in amendment thereof or in addition thereto).

Report accepted; said order passed.

#### FINANCE REPORTS.

Coun. GREEN, for the Committee on Finance, submitted the following:

1. Report on the report of the Finance Commission (referred February 7) with regard to the proposed loan of \$1,000,000 for Long Island buildings—recommending that the same be placed on file.

Report accepted; said communication placed on file.

2. Report on order submitted by the Mayor (referred January 31) for a loan of \$1,000,000 for new buildings and additions to existing buildings at Long Island, as well as for equipment and furniture for such new buildings and additions, all for Institutions Department purposes—that the same ought to pass.

The question came on acceptance of the report and passage of the order.

Coun. DOWD—Mr. President, such a loan order as this will no doubt bring forth considerable discussion by the members of this Council, and I sincerely trust that each and every member will have an opportunity to thoroughly consider whether he should vote "yes" or "no" on the project. The loan presented to the body is not only important by reason of the huge amount of money involved, but is particularly important to my mind because of the great principle at stake. The question which each and every individual must answer, by his vote at the present time, and also to his constituents next November is, whether or not he desires to exile on a barren island in Boston Harbor some 950 poor unfortunates who no doubt have seen better times and who are now waiting only for death to call them. Personally, I am of the opinion that in the declining years of their lives every comfort, every joy and every bit of happiness that you and I enjoy should be given to them. There they are, isolated, hearing only the sound of the waves as they roll ceaselessly in on the beach. Their main enjoyment is provided through organizations which occasionally endeavor to afford them a little comfort and happiness, by means of entertainment of one kind and another. On the other hand, the treatment of the chronic sick is a very, very important matter. We all know, and know only too well, that medical men, whether they be on the staff or not, are seriously hampered by the difficulty they experience in getting to and from the island, and the records will show that men on the staff at Long Island have not visited that hospital for the last four years. The best medical and surgical men in Boston will not go to Long Island on account of the length of time it takes them to go back and forth. For fifteen or twenty years, as we all know, there has been continued discussion of the mooted question of having the institutions on Long Island or on the mainland; but no action was taken until in the last administration a proposition, entailing an expenditure of some six million dollars under a six-year program for the proper handling of the situation at Parker Hill, was formulated by former Mayor Curley. After some \$350,000 of the taxpayers' money was expended in preliminary work, this administration decided to abandon the project. I do not agree with the policies and recommendations of the Finance Commission in most respects, but I do really believe it is about time that some action was taken to move to the mainland those poor unfortunates who are down there now. Who can tell but what you and I may some day reach the age of 65, which American statistics show is such an uncertain one from the standpoint of financial depend-

ence, and may become public charges; and would you or I like to be down on that bleak, barren, desolate island? I don't think we would. The next question is, Where can we place them? This Council has inspected thoroughly the Veterans' Hospital at West Roxbury, and while it is not the ideal location for such a place, I believe, as a haven for the sick and poor, it compares with Long Island as heaven does with hell. We all know the opinion of such a physician as Doctor Washburn in regard to this matter, and I certainly fail to agree with those who do not give, as I think, the proper importance to his opinion. I am willing to abide by the judgment of Doctor Washburn when he says the chronic sick should be placed in a center where medical assistance can be reached immediately. He offers a place within the confines of the Boston City Hospital, and we are advised that sufficient land can be secured within the limits of the City Hospital property for the erection of a chronic hospital. But your committee waited on his Honor last Friday and again this morning at eleven o'clock, and he tells us definitely that while he is Mayor of Boston no attempt will be made to build a chronic hospital on the mainland. I will agree with those members of the Council who desire to appropriate sufficient money for the immediate needs of the poor at Long Island, but, so far as I am concerned, I hardly believe it is fair to ask the Council to spend \$1,000,000 in the furtherance of a policy which will cover undoubtedly ten years at Long Island, at least, when this whole question is so unsettled and when the next administration can come in and say, "We will move the chronic sick and poor of Boston to the mainland." If that should be done, this Council will have been in the position of voting to spend \$1,000,000 of the taxpayers' money unnecessarily and wastefully, and will be compelled to answer to their constituents within a very short period of time for their action. I, as a City Councillor, am not willing, personally, by my vote or position, to favor any course which would seem like entering upon an indefinite continuance of the almshouse and hospital at Long Island. Let me point out just one item in this million-dollar loan that Mr. Kinney has brought to our attention. He speaks of the present nurses' home there, built in 1917, accommodating some seventy-four nurses. He says that the building is in fairly decent shape outside but that the roof is leaking badly and that that plaster in the rooms is falling off. It will now accommodate seventy-four nurses, and next year they are probably going to have twenty or thirty more nurses, bringing the force up to over one hundred nurses. Can any councillor justify his action in voting for \$1,000,000 to fix a leaky roof and make accommodations for thirty nurses? I don't think he can. In questioning Mr. Kinney in the committee room, he admitted that that figure was a trifle high. I agree with him that it is not only a trifle high but that that item has been padded good and proper, and if one item in this million has been padded, I say to you, gentlemen, that the other three are padded, also. What about the figures of the personnel at Long Island for the last twelve years? Let us see. In 1915, there were 1,289 inmates there. From 1915 to 1920 there were decreases and increases. In 1926 there were 950; at the present time there are 951. From 1915 to the present day there has been a decrease of 138 people; and, mark you, gentlemen, many of the same people who were there in 1915 are there at the present time. I say to his Honor the Mayor, then why the million dollars? I can hardly agree with Mr. Kinney in the remark he made at a committee meeting, when he said that the former Mayor of Boston, through his political oratory, misinformed the public and brought tears to their eyes. I want to say for Commissioner Kinney's information that if it were not for the former Mayor of Boston, James M. Curley, the poor of Boston would be sleeping in double-deck beds, as they were when he took office; and, thanks to the same James M. Curley, because of his interest in the poor of Boston, this chronic hospital is in first-class shape. That is due to the past administration, and not to the present one. However, I am well aware, know only too well, that Mayor Nichols' term has two and one-half more years to run. I am desirous of giving everything possible to the poor of Boston. They are entitled to it. We who understand the human heart and human pulse realize that for a time certain conditions may have to continue. But I say to you, gentlemen, in view of the fact that the next administration, whoever it may be, can and prob-

ably will come into this hall and say, "We will bring to the mainland the almshouse and the chronic sick," let us not place ourselves in the position of helping along a policy of spending \$1,000,000 down there on Long Island in the way proposed, when \$300,000 is sufficient. Therefore I, together with other members of the committee who waited upon his Honor the Mayor, wished to have him recall the order from this Council this afternoon. But he absolutely refused to do so. He said, "There is the order. Take it or leave it." I say to you, gentlemen, it is up to you to decide here. This is a great question, and there will be some very serious questions for us to answer next November. If you believe, and think that the people of Boston wish, that the chronic sick and the poor should be kept down on that island for the next eight years, by all means vote for \$1,000,000. But if you believe that this Council should take a different stand, let us be big enough to take that stand, a stand which I believe we should take here today. We all realize, know, that no hospital on the mainland can be built within six years. When Commissioner Kinney told us this morning that it would cost \$15,000,000 to build a hospital on the mainland, he was talking childishly. That is hunk, pure and simple, and he knows it. In closing, I again want to call the attention of the Council to this one fact. A million dollars is a lot of money. I say that you or I, if we owned Long Island, would not be satisfied, under present conditions and with the uncertainty as to the future, to go down there and spend more than \$300,000 to put it in proper shape to take care of the inmates, especially in view of the fact that there is at present a decrease of 20 per cent as compared with past years, and in the last ten years it has shown no increase whatever. I sincerely trust that each and every member of the Council will not consider the money but will consider the poor, unfortunate souls staying at Long Island.

The report was accepted, and the question came on the passage of the order.

COUN. GUILD—Mr. Guild, the previous speaker has undertaken to impress upon the City Council the idea that this is a question of whether the chronic hospital shall be continued at Long Island or shall be transferred to the mainland. I take it that no such question as that is really involved in this loan order. There are at the Long Island Hospital today a certain number of crying, pressing needs which must be taken care of at once if the several members of this Council are going before their constituents next November with anything but a shamed face. Those pressing needs have been retailed to us by Institutions Commissioner Kinney, and we have been told by him that his estimate for taking care of those immediate and pressing needs is \$1,000,000. Nothing whatever can be done towards bringing the chronic hospital to the mainland in short of eighteen months, and probably, in view of the statement by his Honor the Mayor that he would not countenance the removal of the chronic hospital to the mainland in his administration, in no time short of two and one half years, at least. The only place that has been suggested to which the chronic sick at Long Island can now be transferred is a place in West Roxbury which has been determined to be of second-class construction at best, and unavailable for a period of eighteen months. Were his Honor the Mayor to change his mind and agree that the chronic hospital might be transferred to the mainland, eighteen months is probably the earliest time that any place of any sort could be made ready for them. His Honor the Mayor has indicated to us, however, that he has made up his mind otherwise, so it is more probable that it will be at least two and one half years before anything can be done about transferring these people to the mainland. That being so, to what extent should we stand in the way of taking care of the immediate and pressing needs of the inmates of the hospital at Long Island? The previous speaker has stated to us far more eloquently than I can what the situation of these people now is. He has said that they are unfortunate, infirm, aged and altogether entitled to our sympathy, and I would add to that that they are the last people in the city who should be made the victims of political machinations of any sort. I feel that they should not be subjected for another year and a half at least to what they have been suffering for the past few years. I think we should take immediate steps to remedy that situation. The previous speaker stated that \$1,000,000 represents a considerable padding. I



should have been much more impressed by that statement of his had he produced any evidence of that fact before the Committee on Finance, to which this matter was referred and before whom it has been pending for the last thirty days, at least. There were questions asked of the commissioner regarding the items in his estimate, and the commissioner stated, as the previous speaker said, that there was a probability that the item for the nurses' home could be reduced, but he added that there was also a further probability that the estimates on the other items were considerably below what the actual cost would be. The previous speaker has suggested a figure of \$300,000 as the amount necessary for doing the work which he has said should be done there, yet he does not produce, either before the committee or anybody else, so far as I know, any knowledge which may serve as a basis for that estimate. I cannot see myself how it is possible to construct additional men's dormitories to take care of another two hundred men, to construct additional wings on the men's hospital, to enlarge the children's building and to enlarge and re-roof the nurses' home, for any such figure as \$300,000. If he had discussed the matter in dollars and cents, accurately, instead of in round figures and generally, his argument in regard to the actual cost would have been much more impressive to me, and I believe it would have been more impressive to the members of the Council. I am willing, in the absence of any other evidence than the previous speaker's say-so, and on Commissioner Kinney's estimate as more accurate, because I believe the commissioner has been in a position where he could make, and probably has made, a more detailed and thorough investigation of the costs of building on Long Island than has the previous speaker. I hardly need to say that the cost of doing this work on Long Island is going to be a more expensive proposition than it would be to do the same work on the mainland. The contractor who undertakes this work has to figure on the transportation of his men back and forth and giving them one meal a day down there, and has to figure on the transportation of his material. So whatever notions we may have about the cost of building on the mainland must needs be modified by the fact that this undertaking is proposed for Long Island. The previous speaker has said that, thanks to a previous administration, the inmates on Long Island are not forced to sleep in double-decked beds. We have been shown by the Commissioner of Institutions that since 1921 the average daily population at Long Island has been on the increase until it has now reached a point which is about the same as it was in 1915; and I wonder whether or not the previous speaker feels that the people will thank him if he makes it necessary, by cutting the amount down to such an extent as he has suggested, for the inmates to sleep in double beds this coming winter? There is nothing that would injure the members of the City Council more, politically, as it will injure him, than to get in the way of relief, so far as immediate needs are concerned, of the people down at Long Island. I believe if this order is not passed that the Mayor will send it back to us again. That, however, is nothing but a guess on my part. He may decide that he wants to put upon the Boston City Council the odium of defeating his proposal for the relief of those people. We are certainly playing with fire if we are taking a chance on the order coming back again for us to have a second whack at it. It seems to me, therefore, that the best thing the City Council can do is to grant this request. It is not a question of Long Island against the mainland but the fact is that they need \$1,000,000 there to take care of the immediate and pressing needs of the situation, as set forth in Commissioner Kinney's itemized statement. I certainly trust that we will be able to go before our constituents next November with a clean conscience.

Coun. BUSH—Mr. President, I am surprised at the suggestion of the councilor that we allow our vote here to be coerced, that we can reasonably be expected to vote for an extraordinary sum for repairs on the Long Island Hospital simply because otherwise the order may be sent back to us, and because the Mayor may be stubborn about reducing the appropriation to take care of the needs down there. It is universally conceded by all interested in the Long Island Hospital that it was originally a mistake to place that almshouse and hospital on Long Island. It has meant the sending of those poor unfortunate virtually into exile, as has been mentioned. I see no reason at

the present time for passing an appropriation in the extraordinary sum of \$1,000,000 for the perpetuation of that same mistake. While it is true that, if we do not pass this appropriation, we may not succeed in having that hospital and almshouse removed to the mainland immediately or for a period of some years, that does not mean that we must pass an appropriation of \$1,000,000 to perpetuate the original mistake and make it still more difficult to move the hospital over to the mainland in the future. I recall when it was intended to build the new Beth Israel Hospital, the present site on Townsend street, Roxbury, was considered. Doctor Washburn, a member of the advisory staff at that hospital as well of the advisory staff of other hospitals, was asked whether that would be a suitable place for the hospital, and said, "No. No hospital can be better than its visiting staff. In order to have the right kind of a hospital you must have a proper visiting staff, a visiting staff of the highest medical caliber obtainable." Therefore, he advised that that hospital, upon which it was proposed to spend \$3,000,000 be built in the Longwood avenue section of Boston. Why? Because that is the medical center; because he felt that the hospital could not offer the proper kind of service to the community unless it could obtain medical men of the proper caliber to visit it. Those men are extremely busy. There are comparatively few medical men of extraordinary caliber, and those few are kept busy constantly. They cannot take time to travel long distances. And you cannot obtain men of that caliber if you have your hospital a long distance from the medical center. The same thing holds true of this hospital. I don't say that the West Roxbury proposition would be entirely the best thing. I was on the tour of inspection there. I do not say that at the present time, and in its present condition, the West Roxbury hospital would be suitable for this particular purpose. But I do know, as mentioned by the councilor from Jamaica Plain and Roshindale, that \$1,000,000 will go much farther in a place of that kind than it will on Long Island, where there probably would be treble or quadruple the cost for transportation of men and materials, so that your money would not go more than half as far in the construction of buildings as it would at West Roxbury. Furthermore, the only person here favoring the construction of further buildings on Long Island seems to be the Commissioner of Institutions. I have no quarrel with him, or with his ability. For aught I know he may be the most capable commissioner of institutions in the country. But I certainly feel that more weight should be given to the medical men in this city in a matter of this kind than to the Commissioner of Institutions who, I understand, is not a medical man. Furthermore, in the point of appropriations for repairs on Long Island, there is no question that at the present time they are going beyond capacity. There are beds in the corridors. They must have some appropriation to take care of the overflow. The roofs on some of the buildings are leaking and should be attended to. But it violates my sense of proportion to say that it will take \$1,000,000 to provide accommodations in the way of two hundred or three hundred more beds and to fix up a few roofs there. Therefore, I am not in favor of this appropriation as it stands. I will be in favor of an appropriation commensurate with the use of the institutions on Long Island—which I believe would be far short of \$1,000,000.

Coun. McGRATH—Mr. President, I think the first argument that should be straightened out in the minds of the councilors here is as to the immediate need of granting this \$1,000,000. On Long Island there are a good many men, this year and for many years past, who belong to the unfortunate poor, who have made it their winter home. But with another week of this sort of weather, there will be a general departure of men from there, men who are the unfortunate poor but who yet are willing to get a day's work now and again in the summer months. The proof of that is that fifteen or twelve years ago there were just as many people on the island as there are now. They go there at the hard times. They go there, sir, at a time when there is unemployment—and there is more unemployment now than there has been for a dozen years back. This is not a fair year to judge Long Island. But, sir, to say that in November we will be perhaps defeated because of our attitude here is ridiculous. I saw a contest for Mayor won in this city, as Coun. Dowd has



said, by one who was a practical man and who talked sincerely upon this matter. We are now asked to appropriate \$1,000,000, and we are told that the policy of this present administration is, definitely, to keep those inmates down on Long Island, and that the administration will not yield. But twenty-three men were elected in this administration, and if a majority of those twenty-three men feel that there is some weight to the arguments that have been advanced on the other side, instead of being swayed entirely by the fact that the Mayor says he will refuse to yield, then I say, from an administration point of view, there is another side to this matter, an important side, and that those favoring the passage of this million-dollar order should get a stronger argument than that. Why, Mr. President, at the very start of this administration, more than a quarter of a million dollars was thrown into the sewer, when it was decided to abandon the Parker Hill proposition. That is the way that the city's money has been wasted. Now we are asked for another million. That will mean \$1,250,000 acted on during our term, one way or the other, with no definite program. The man who follows the present Mayor, in the next administration, may wipe out this million, and then the only ones who will have derived any benefit from the expenditure of \$1,250,000 of the city's money will be the contractors and architects. Mr. President, the second day we met in this body I introduced an order to bring the institutions on Long Island to the mainland. That has been my hobby for ten years. I know Long Island as well as any man in the body. I think you will all agree with me in that statement. I have visited it more times than any man here; and I say, until some general plan is worked out which can be expected to be carried along through more than one administration, any such expenditure of money as is here proposed will mean absolute waste and extravagance. We have in the care of the city, prisoners, persons who are sick and mentally sick, the poor, the abandoned children. The prisoners are divided, those well and sick. The sick are divided into those chronically and temporarily sick, many of them being taken care of out on River street, Mattapan. The mentally sick fortunately are taken care of by the state. The poor are under the Public Welfare Department at Long Island. The abandoned children are on Long Island and under the care of the Placing-out Bureau of our city. Now, Mr. President, until such time as this Board of Directors or the City of Boston, which we are, elected by the people, are considered in matters of this sort—until such time as we know what the city is really doing and planning—we will never work out any problem of this kind. There is nobody in the Hall so intimate with the desires of the different wards as the men elected here by the people. But every year there is a constant move to take away more and more the powers of this body. The people who framed the charter and placed twenty-two men here did it in order that there might be a more intimate touch with the people in the matter of the control of public affairs. The office of Mayor was not changed. There is not a man in the Council who knows his ward well who does not know the needs of the poor, of the sick and other unfortunate people, in his district. Those people always come to us for advice, for assistance. We are the only ones they know. We are the ones who know exactly what they want, and, I say, until such time as we work this out along the lines of a general policy, we will arrive nowhere. Today the present administration realizes the stigma attached to Long Island, because they of their own volition changed the name from "almshouse" to "hospital." They changed it because there was a stigma attached to the word "almshouse." But, no matter what change you make in the name, you cannot change the character of the institution. What are you going to call an institution of the sort on that island, sir, that has in it the unfortunate poor, the sick, the chronic sick, the criminals who have been sent over from Deer Island, and the abandoned children? What is that institution other than a dumping ground? The only other island that it reminds me of is Penikese Island, where they send the lepers. We sentence prisoners to State Prison for life, and we also send these poor unfortunates to Long Island for life, because they have grown poor when they have grown old. There they are, derelicts of the sea and derelicts of the land, abandoned on Long Island. They are there for all time, for life and eternity, because right at their

windows they put a graveyard. I have walked in that graveyard more than once, have seen those graves marked with wooden crosses, containing a number but no name, and have spoken about the matter without avail, until a year ago when the Kearsarge veterans went down there and erected a big concrete cross in memory of the Civil War veterans who died abandoned on the island. I say when you sentence them to Long Island, you sentence them for life and for eternity. The question comes up of medical assistance. Are we dealing merely with dollars and cents, or are we dealing with human lives, with human souls? Are we giving to the people who are our charges, our wards, the consideration to which they are humanly entitled? Are we talking about those poor devils who are abandoned down there, hopeless and discouraged, or are we talking about concrete and brick? I say this: Any plan that is to be worked out should be a general one, having in mind all the necessities of the situation; and, if you will allow me to digress for a moment, let me say just a word about another phase of this situation. In Charlestown there is a state prison that covers ten acres of the most available land in our city, with rail facilities that are unexcelled, having the natural advantages that would make it one of the finest commercial sites in this section of the country, fitting in with the business development in the neighborhood of our North Station where they are asking us to spend a large amount of money in connection with crossing the river. That land could be taken and used in connection with high-class business development, at the same time reducing the blight on the homes of the decent, God-fearing people of Charlestown, who for years have had to bear the burden of proximity to that institution. Governor Fuller realized the importance of the question and appointed a commission to look into the matter of abandoning that State Prison at once. There is not proper sanitation there today; not a thing that will tend to help those men who are confined, some of them for life. That institution can be moved to Deer Island, and we can sell Deer Island to the state. They can go to Deer Island and erect there modern buildings. We can move the Deer Island prisoners to Long Island, where there are 110 acres of land capable of producing not only the vegetables that they would need, but more; in addition to which there would be the benefit to the prisoners down there of roaming at large out in the air and sunshine. The present institutions at Long Island could be moved in their entirety to the mainland, bringing the chronic sick up in the neighborhood of the City Hospital and taking the other inmates, for instance, to West Roxbury. But some people don't want those old souls taken over to the mainland, because they are poor. What man can stand up in this body and say that that may not be his position as the years go by? We now say to those inmates on Long Island, "We abandon you forever; you are lepers." In the storm that we had three weeks ago it was reported in the Boston newspapers that the boat could not go to the island with fifty cans of milk. If that happened once and on that boat was a surgeon upon whom a life at the island depended, and that life was lost in consequence, we would be directly responsible for the loss of that human life. This is not a question of dollars and cents, Mr. President and gentlemen. Why have these poor people on an island which at times the boats cannot reach? Why remove them from medical care when the real things that are in the balance are human lives and souls? Why turn your face away from them because they are poor? Why refuse to give them the human consideration to which they are entitled because they are poor? I say, Mr. President, that unless we are very careful in this matter, in the future we will regret our action. We can place our chronic sick in the City Hospital, where they belong, where there is plenty of land, on Northampton and Albany streets, to build the accommodations for them. Then we can move the poor out to West Roxbury. We are told by some that they don't want them there, because they are poor; they don't want them around, because they are thereby reminded that they are city charges, and they want to get away from them. If they are moved out to West Roxbury, there are people in this city who may be unpleasantly reminded of the fact that their fathers and mothers, those whom they should take care of, are there. There are those in this city who might thereby have that fact brought to their minds, and who want these poor people kept

out of sight. I know more about Long Island than some of the men who are being paid a salary for taking care of it. And when I say that I also want to add that it is being kept in better shape than ever before. John Lyons is a splendid manager. But unless you have the institution in a place where it can be inspected at short notice, day or night, and also where it can be readily visited by physicians at any time, you are not doing your duty as councilors. We all know that at times when visits have been made down there, from the very nature of things, plenty of notice was given and things would be found in good shape. If the place was convenient, so that it could be visited at an hour's notice, so that any of us could walk right in, there could be nothing of that sort. And have a place where you will have no trouble in getting nurses or doctors. Bring the poor out to West Roxbury, where the old souls, instead of listening to the constant roar of the sea and watching forever that graveyard right under their eye, wondering how long it will be before they go there, may be surrounded by the pines on the shores of the beautiful Charles river. Take them back again into society, back from their exile, back where they can look through the fence and see the passing autoists, see something of what is going on in the world, and where they can be readily visited by their friends and by those who are interested in them. Give their old neighbors a chance to see them, and let them enjoy the human touch. I say this seriously.

Coun. FITZGERALD—Mr. President, I desire to offer the following substitute:

Ordered, That the sum of \$800,000 be and the same is hereby appropriated for new buildings and additions to existing buildings at Long Island, as well as for equipment and furniture for such new buildings and additions, all for Institutions Department purposes, and that to meet said appropriations the City Treasurer be and hereby is authorized to issue, from time to time upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

The question came on the adoption of the substitute order.

Coun. FITZGERALD—Mr. President, my order calls for the appropriation of \$800,000, instead of \$1,000,000, in order to meet the objection of some of the councilors that \$1,000,000 is too large an amount, and in order that the proposition to remove the sick and infirm to the mainland may be carried out as easily as possible. I think this amount of money will be sufficient to provide temporary relief and to really meet all the requirements of the situation, including replacing the roof that is badly leaking on the building. Everybody agrees that the place is in a deplorable condition. The adoption of this substitute order will save \$200,000, which can be used toward placing the institution on the mainland. I don't think anybody can object to the proposition to spend \$800,000 which will, in my opinion, give the necessary relief.

Coun. RUBY—Mr. President, sometimes when we sit here and listen to arguments advanced on questions, regardless of what our opinions may be, we are swayed in our judgment. We have heard several good arguments this afternoon with reference to the recommendation of his Honor the Mayor. If it were simply a question today of abolishing the almshouse and chronic hospital at Long Island and moving those institutions to the mainland, I might have one opinion. My vote on that matter would very likely be that the almshouse and chronic hospital should be removed to what we may term God's civilized country. But, in my opinion, the question we have before us today is not the transfer of the chronic hospital to West Roxbury, when the veterans abandon that hospital and go to Bedford—which will not occur for fifteen months or more, as we were told at the West Roxbury hospital less than two weeks ago, or whether we will remove the almshouse from Long Island to some point on the mainland. Nor am I at all apprehensive of what may happen next November because of the attitude we may take upon this particular question today. That, to my mind, is all Tommyrot. I don't believe any member of the Council—and I say this in all seriousness—need be apprehensive so far as his possible return to the Council for two more years is concerned, or that any feeling he may have in that respect need sway his action on this matter today, because I am satisfied, with all due deference to previous councilors in Boston, that we as coun-

cilors have done as well as, if not better than other councilors in the performance of our duties, have certainly done it as well as it has ever been performed by any like body in Boston, and for that reason need have no apprehension. Let me say also that I have been to Long Island probably eight or nine times in the past year, and that I visited the West Roxbury hospital when the City Council were invited to inspect that institution with a possible view to transferring the almshouse and chronic hospital to West Roxbury. To my mind, the West Roxbury site is absolutely unfitted for that purpose at the present time. Doctor Washburn admitted that less than two weeks ago, when I asked the question whether, in his opinion, he would be justified in having one chronic sick person admitted to that institution in its present condition. He said, "no." He said there would surely need to be some improvement before one such person should be sent there. In my opinion, Mr. President, the place is a fire trap. It has no fire extinguishers, nothing to prevent a fire. The staircases are narrow, so that two people can hardly pass each other; and in my opinion the subways that were built in the institution by the government are the only decent part of it. So the West Roxbury site in its present condition would not be a suitable place to which to transfer the chronic sick or the inmates of the almshouse, according to the statement by Doctor Washburn himself. He said at that time that West Roxbury was his second choice, not his first, even with regard to the chronic sick. He felt that the chronic sick ought to be brought down somewhere in the vicinity of the Boston City Hospital. Nothing has been mentioned with reference to the almshouse either by Doctor Washburn or the Finance Commission in their report to this Council advising the rejection of this million-dollar loan order. The Finance Commission say that they advise West Roxbury for the sick and the continuance of the almshouse at Long Island in its present form, but spending no amount of money down there. How inconsistent from a commission of that kind, who no doubt have greater and better chances to form judgment with reference to these institutions than I. If the chairman, as well as the rest of the commission, would make one visit to Long Island and examine into the situation as I have done, it seems to me the report would be very different. One part of the nurses' home has not been used for over a year, and when we have gone down there we have found that it was because of a leaky roof in a certain section, that part of the building from the ground floor to the roof not being used. Some say, "Why hasn't it been repaired?" That is a question in my mind. When we were there on the last visit, we found a disgraceful condition of affairs—one hundred or more beds in the cellar basement of that institution, next to the boiler room. I want to say, Mr. President, that if any of my own were ever so unfortunate as to be obliged to go there, I would almost rather see them sent to their graves than compelled to live in a basement, a cellar, without any sunlight, and next to a boiler room. I say if any of this money is going to alleviate that condition, we ought not to play politics in the chamber this afternoon, but should grant the amount of money that may be necessary in order to give immediate relief to the unfortunate poor. So far as the almshouse is concerned, I understand that that is left to shift for itself. I would also be in favor of bringing the almshouse, as well as the chronic hospital, to the mainland. It ought to be done. But we are told that the present administration will not, during its time, bring it up to the mainland; and, as we are told that we cannot get into the West Roxbury hospital inside of eighteen months, anyway, what are we going to do? Are we going to shut our eyes to those unfortunates who are there now and say that we cannot spend money to improve conditions for them, because in two, three or four years from now they will be brought on to the mainland? I don't think that is the real feeling or intention of any man in this room, I think if the amount of money which it is proposed to appropriate here is too large it ought to be decreased, but there should be something allowed for immediate improvement, so that the condition of the unfortunate poor and sick can be remedied. So I cannot see that by entirely defeating this measure we will accomplish what we sincerely hope to accomplish, the benefit of the unfortunate poor. It is unfortunate, as stated here, that there should be that proximity to the graveyard; it is unfortunate that any per-



son should be hurried on that island. That is something that I believe can be remedied, apart from the question at issue. But to my mind it is important that an immediate sum of money be spent, whatever amount is necessary, for the immediate relief and assistance of those unfortunates who are at present housed at the Long Island institution.

Coun. BUSH—Mr. President, I have no quarrel with any of the arguments presented by the previous speaker, except that I do not think the amount to be expended in connection with the hospital at Long Island should be any more than sufficient to take care of the immediate needs, and in my opinion that can be done for less than \$500,000. There is certainly, to my mind, no need of spending \$1,000,000 there, which will take care of the situation for the next ten years and perpetuate the mistake made originally, thus making the solution of the problem still more distant than it appears to be at present.

Coun. GREEN—Mr. President, as chairman of the Committee on Finance, which reported this order, I think I owe it to my constituents to get up and defend myself and my vote. I voted that the order ought to pass. As far back as 1913 a comprehensive study was made of the conditions at Long Island, and the actual work was started on the island in 1915. In 1915, Mr. President, the same conditions that exist in our city today with respect to the unemployment situation existed. I probably know as much about conditions on Long Island as any member of this body, because I have had occasion hundreds of times to visit my poor unfortunate neighbors on that island. And I will admit, Mr. President, that probably as many people leave my humble town, Charlestown, to go to Long Island, as go there from any section of this city. The poor people of my district always come first with me. If I thought my voice and my vote would be used to hurt any of those poor unfortunates at Long Island one iota I would be up here talking mainland today. But, Mr. President, something has got to be done. I certainly do not think that our committee, visiting Long Island, questioned the honesty and integrity of the Commissioner of Institutions, or that he had anything planted for our committee when we arrived there. The conditions, Mr. President, were intolerable; and I want everybody within hearing of my voice to hear the next remark I have to make. Herded like a lot of sheep in the cellar down there were men, men of yesterday, some of the men who were prominent citizens in my community at one time, one man who held the position in this honorable body that I hold this afternoon. I asked him how he liked the place. He said, "Here we are herded together like a lot of sheep. We cannot get out, sir, and enjoy God's free air. If there is anything that you can do as a member of the Boston City Council to alleviate conditions down here, I want you to go there and stand up and, by your voice and vote, give us some immediate relief." Now, I am going to ask my friend the councilor from Dorchester a fair question. I was very much surprised at his remarks this afternoon. Nobody can question the honesty or sincerity of the man from Dorchester. If you will hear with me, Mr. President, I will mention the councilor's name, Coun. McGrath. I feel that at the present time, Mr. President—and I am getting away from the subject temporarily—he may be taking it on the chin. I sympathize with him, but I agree with a lot of things that he has said. On this Long Island situation, however, I must disagree with the councilor from Dorchester, and I am going to ask him one question. Is it true, councilor, that if we go to the mainland with this proposition, we will abandon the nurses' home, the chapel, the mortuary, the burying ground, the store buildings, the almshouses for both men and women, and the chronic hospital?

Coun. McGRATH—Mr. President, I say that that is absolutely true, and I say, further, that I have never reckoned this question from the standpoint of dollars and cents. I am thinking of the hearts and souls of those on that island. No cost is too much.

Coun. GREEN—I knew that he was, Mr. President, and I know he feels, as every member of the Council feels, that it is not a question of dollars and cents. It is a question of diversity of opinion. Some of the members of the body think that the institutions ought to come to the mainland. Other members of the body think that they ought to stay at Long Island. I know the Commissioner

of Institutions, Mr. President, and feel that I can quote him correctly on the question of what he feels that he can do, having in mind the work that was left uncompleted by previous administrations. I said to him, "How much will it cost to complete that work that the previous administration left undone?" He said, "We haven't got any data; we don't know how much it will cost. But they did at one time agree that if the Long Island Hospital were transferred to the mainland, they would have to scrap \$5,000,000 of city property. The previous Mayor suggested at one time that that property possibly could be sold for \$1,000,000. We will have to scrap the property if we go to the mainland, but we might possibly be able to unload for \$1,000,000." Now, my friends, I do not intend to take up so much of your valuable time but I simply wanted to explain my position and my vote on this matter as chairman of the committee. We interviewed the Mayor, we interviewed the commissioner, and we sought and received as much information as we possibly could. Some of the members thought they would like to have a little more time to consider this situation, before it was brought before our honorable body and voted upon. The Mayor said, "I have made a request for \$1,000,000. The Commissioner of Institutions claims that it will cost \$1,000,000 to make the necessary repairs and improvements needed at Long Island. I appointed the commissioner of that institution, and when he says that he needs \$1,000,000 to complete the work I am not going to question that man's honesty and integrity." I have known the Commissioner of Institutions over a period of fifteen years, and I don't think it is the intent of any member of this body to question his motives. There was a remark made this afternoon to the effect that somebody might be interested in this or in that. I don't think that is so. I know I am not. I don't think it is a question of who the architect is or who the builder is. I don't think that enters the mind of any member of this body. We are voting on a problem this afternoon and, as I have said before, there is a diversity of opinion. Some of the members like the mainland for the Long Island Hospital, and others are in favor of leaving it on the island. But I don't think, Mr. President, in all due fairness to any member of this body, that any one here should reflect on the feeling of any other member toward the inmates of that institution, because all our hearts heat for those poor people down there, and we would all be glad to do anything that can be done to relieve their suffering. That is what we are trying to do. Whatever diversity of opinion we may have, that is our desire in this matter.

Coun. KEENE—Mr. President, with all due respect to the opinion of my colleagues, I cannot help thinking it would be a mistake to consider West Roxbury as a proper place for an institution of this kind. In the first place, we are rather limited there in land area. The land is low. It borders on Charles river, which has ever had a reputation for being a breeding place for mosquitoes. Within a distance of 300 feet of that houndary we have three canoe houses and one large dance house known as Moseley's, known to many people from different parts of the state. Within 100 feet we have a prosperous merry-go-round. I don't believe that a place of that nature is either adequate or suitable. Personally, I don't consider myself sufficiently informed to say whether or not the institution at Long Island should be upon the mainland or should remain where it is at this time, but when I find reports of investigations disclosing that in dormitories with sufficient room to provide for 325 beds there are 505 inmates, and when no later than half past eleven this morning two reputable physicians said they were there Saturday and found old men sleeping on beds in the basement, on a cement floor, and reading the newspaper by artificial light, something is wrong. We have there a hospital with a bed capacity of 150, in which there are 180 inmates, and the physicians who made the investigation said that there were 108 cases in the men's dormitories that should be occupying beds in a hospital. We have there a children's building sufficiently large to accommodate eighty-six children. It is the old tuberculosis ward. We are told by the Health Commissioner of this city that there are several hundred children in the City or Boston who should be there, because of the advantages that would be derived from the fresh air and sunshine. We have a nurses' home built some years ago, and we have



been advised this morning that the roof has leaked ever since it was constructed. It houses seventy-four nurses. The nurses sleep two and three in a bed. They are at this time twenty nurses short. With additional dormitories, accommodations could be provided for thirty or forty more nurses. I am interested in only one question, and that is this. For twenty-seven years this thing has been a bone of contention; for several years old men and women have been herded in those buildings as we herd cattle and children have been swarming in their quarters like bees. An institution of that kind, to be of material benefit to those who go there, should be a haven of rest. If there have been twenty-seven years of that sort of thing and are liable to be twenty-seven years more, I say, gentlemen, that the duty rests upon your shoulders and my shoulders to say whether those poor unfortunates must continue to suffer while the executive branch of this city and the members of various bodies fight as to where they will eventually be placed.

Coun. McMAHON—Mr. President, I have sat here this afternoon and listened to the remarks of the orators who have arisen and spoken their minds. But I remember a year ago this time that I had the pleasure of taking a trip to Long Island. I don't think there is anybody in this Council who has a deeper feeling for the poor unfortunates there, as I call them, than I have. But I will simply say, in view of what we have heard here this afternoon about the terrible conditions existing there now, that a year ago this time I went through the Long Island Hospital, and we didn't find any beds in the basement. Everybody seemed to be happy, as I found them. I didn't make this trip the last time that they tell about, when there were men sleeping in the basement, near the boiler room. I think, personally, they have plenty of room there without putting them into basements. We have been talking about the sick and the poor unfortunates in the hospital. There was an investigation made in regard to River street. I happened to be on a committee that sat in and listened to different experts, to whom we gave our good money, and who told us what was the trouble. All we could find out was that the only way to run the River street hospital was to get it under the control of the trustees of the City Hospital, and if they did that they could arrange to take care of the unfortunates a lot better. I thought as I sat here this afternoon, if they feel that way about the River street hospital, why don't they feel the same about the chronic and sick cases at Long Island? Why not put a building for them up at the City Hospital? I think that is the greatest institution we have, and when they get up here and tell us of the unfortunate sick at Long Island, I say let us place them at the City Hospital, where they can have the required attention, where they will have the greatest medical men in the world to take care of them. And you know as well as I do, all the councilors know, that those men will not go down to Long Island and take care of those cases. I went down a year or two ago several times. Everything looked sweet and rosy to me. I can never forget the day when I saw the graduating nurses there. But we have heard what a tough thing it is even to get nurses down there, that they have had to raise the pay and give them more money at Long Island than they get at the Boston City Hospital. If it is as tough as that at Long Island, and if it is so hard to get good professional doctors to go down there where they are needed, then it is time that the institutions were put on the mainland. Of course, we could sit here the whole week and argue pro and con. They tell us about a leaky roof. Why didn't they put that in the budget? If we had a leaky roof over our heads here, anywhere, the Superintendent of Public Buildings would put an item for it in the budget. So I don't see why there should be so much talk about a leaky roof, when there is plenty of opportunity at Long Island to put on a roof that does not leak. Only a week or two ago they opened up a beautiful building in connection with the Boston City Hospital. They tell you about the unfortunates at Long Island, who have difficulty in getting treatment. There is no reason why they should not be taken care of at the City Hospital. If I had my way no commissioner could come in here and tell us that it takes \$1,000,000 to put the buildings down there in shape. If it were simply a case here of voting to take care of the poor unfortunates, I would vote for that. But

that is not the case. It is a case of putting \$1,000,000 into buildings down there, and then keeping the poor old souls there, never having them leave the island. If there is any councilor here who has ever enjoyed the trip up and down in the boat and has seen the place, he knows how it affects him. They tell you what a beautiful place it is. I know that I wouldn't want to stay down there for a month, myself, looking at nothing but the water around, as those poor old souls have had to do for years; and the sooner the councilors stand up here in their boots, not being afraid to vote because next fall they are going to run for election and it might be passed up to them, the better. I don't feel the way that some seem to feel in regard to that. I will vote as quickly to help those poor folks down there as anybody, but I don't feel that \$1,000,000, that large sum, should be spent down there. I feel that a much less sum would take care of immediate wants, would give them sufficient beds so that they will not have to park them down in the basement.

Coun. DOWD—Mr. President, I now move you that we proceed to ballot.

Coun. FREELEY—I second that motion, Mr. President.

Coun. ARNOLD—Mr. President, I would not inject myself into the debate this afternoon, with the condition my voice is in, were it not for the fact that as a physician I know something about the care of the sick. We have listened at some length to references to the isolation of this island and of the institutions it harbors. I believe, sir, it is not isolation that concerns us this afternoon; it is really the care of those who become chronically sick. We have heard considerable about the profession of medicine and how busy the members of that profession who are really competent are. With those statements I do not disagree in any iota, sir, but I want most emphatically to impress upon you, Mr. President and the Council, that the hardest thing which the medical profession today has to contend with is the care of those who become chronically ill. I would like to show you a picture, sir, of an acute case of appendicitis anywhere within the environments of Greater Boston. Where such a case occurs, I venture to say that there will be one, two, three, and possibly four or five ambulances racing to get that case into a hospital for operation. That is the situation with reference to acute diseases, but it does not prevail, I am sorry to say, with reference to the chronic conditions which affect mankind. We are only too glad to do everything that is possible in a professional way for those who become chronically sick, but it is not a question of professional care; it is not a question so much of the doctor as it is of a place where they can be comfortably housed, well nursed, and their moderate wants taken care of. This is the class of cases, I repeat, that are really the hardest for the medical profession to cope with. I was somewhat amazed by the statement of one of our members that Long Island would be a good place for the prisoners, who would there enjoy the benefit of fresh air, sunshine and ocean breezes, but that it was not a good place for those who were chronically ill. I cannot quite see the logic in that statement. If it is good for prisoners, it is also good for those who are ill. I can imagine, on a muggy afternoon like this, that any one of us might enjoy the open-air freedom which is enjoyed by persons upon that island. I do not consider it, sir, in any sense a barren and desolate spot. I do not believe that any of those inmates are lonesome, with a family there of upwards of a thousand. It is natural for people when they become aged, particularly if they are ill, to seek, of their own volition, some sort of isolation, and I believe that this institution on an island in our beautiful harbor is adapted to that. I believe, sir, if some of our inland cities had the advantage of that island, they would expend almost unestimable treasure in order to avail themselves of such a proposition as we have here at our very door. And I am not, sir, one of those who subscribe to the idea that has been advanced here that the medical profession is in any way backward in responding to the calls that come to them from those who are critically and seriously ill. The proposition at Long Island, sir, is a proposition of taking care of those who will be sick for a long time. I could enumerate the diseases that prevail there to the greatest extent, but I don't think it is necessary to do so. The acute cases that occur there are very few indeed, and they can be at the

present time adequately handled, in my opinion. You will in any event, sir, provide for a hospital at Long Island as long as you have an almshouse there. The inmates of the almshouse are always potential candidates for a hospital, and you cannot very well separate an almshouse and a hospital of some kind. My position this afternoon, sir, is that I favor providing, in some such way as is available to us at this present moment, all the facilities possible for the care of the chronic sick of our city.

Coun. Fitzgerald's proposed substitute was rejected, yeas 7, nays 15:

Yeas—Coun. Englert, Fitzgerald, Heffernan, Keene, Parkman, Ruby, Wragg—7.

Nays—Coun. Arnold, Bush, Donovan, Dowd, Dowling, Freeley, Gilbody, Green, Guild, Lynch, Mahoney, McGrath, McMahon, Ward, Wilson—15.

Coun. DOWD—Mr. President, I now move that we proceed to a ballot on the original order.

The roll was called, and the order failed of passage (a two-thirds vote being necessary for same), yeas 12, nays 10.

Yeas—Coun. Arnold, Donovan, Englert, Fitzgerald, Gilbody, Green, Guild, Heffernan, Keene, Parkman, Ruby, Wragg—12.

Nays—Coun. Bush, Dowd, Dowling, Freeley, Lynch, Mahoney, McGrath, McMahon, Ward, Wilson—10.

President HEFFERNAN—The order is rejected, not having received the two-thirds vote necessary for passage.

Coun. GREEN—Mr. President, I would move reconsideration, and I trust that the matter may then be assigned to the next meeting.

The motion to reconsider was declared lost. Coun. GUILD doubted the vote and asked for the yeas and nays.

Reconsideration was lost, yeas 10, nays 11.

Yeas—Coun. Arnold, Donovan, Englert, Gilbody, Green, Guild, Keene, Parkman, Ruby, Wragg—10.

Nays—Coun. Bush, Dowd, Dowling, Freeley, Heffernan, Lynch, Mahoney, McGrath, McMahon, Ward, Wilson—11.

Later in the session Coun. FITZGERALD announced that if he had been in the chamber at the time of the vote on reconsideration, he would have voted "Yes."

3. Report that the proposed loan of \$500,000 for municipal building in Ward 11 ought to pass—report accepted, said order passed under suspension of the rule, yeas 20, nays 2:

Yeas—Coun. Arnold, Bush, Donovan, Dowd, Englert, Fitzgerald, Freeley, Gilbody, Green, Guild, Heffernan, Keene, Mahoney, McGrath, McMahon, Ruby, Ward, Wilson, Wragg—20.

Nays—Coun. Dowling, Parkman—2.

#### PROPOSED LOAN TO WIDEN DUDLEY STREET.

Coun. McGRATH, for the Committee on Legislative Matters, submitted a report on resolve (referred February 14) that the City Council approves the enactment of legislation to authorize the City of Boston to borrow money outside the debt limit for the widening of Dudley street in the Roxbury district of the city—that the same ought to pass.

Report accepted; said resolution passed.

#### SALARY OF BUILDING COMMISSIONER.

On motion of Coun. BUSH the Council took up assignment, viz.:

2. An Ordinance concerning the salary of the Building Commissioner.

Be it ordained by the City Council of Boston, as follows:

Section 5, of chapter 3, of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the Building Commissioner by striking out the words "six thousand" and inserting in place thereof the words "seventy-five hundred."

Coun. BUSH—Mr. President, I have not the slightest doubt in the world that our Building Commissioner is one of the best building commissioners procurable, and that he is worth a salary far in excess of that which he is receiving at present. But it does violence to my sense of justice to give an increase to a man receiving \$6,000, amounting to \$1,500 in one lump sum, while there are men working for the city for such sums as \$1,300, \$1,500 and \$1,700, who are denied \$100 and \$200 increases. Therefore, although the commissioner may be worth the \$7,500, or may be worth \$10,000 or even more per year, I cannot see my way clear to vote to give him an increase of \$1,500 at one time while those poor fellows, who are doing their work to the best of their ability for a mere pittance, just barely enough to live, cannot get an increase of \$100 or \$200.

Coun. GUILD—Mr. President, thousands of years ago a man by the name of Aesop wrote a story of a dog who lay in a manger where there were oats and prevented a horse from coming in and eating the oats, even though he could not eat them himself. I would direct the attention of the councilor to that ancient fable, in view of the argument he has advanced here that, because X, Y and Z cannot get an increase in pay, A shall not do so, although in the case of A, it is also much deserved.

Coun. McGRATH—Mr. President, I never ate any oats (laughter), so I don't know about the force of the argument, but I do know that when this gentleman took the position, he knew when he took it that the salary was \$6,000. The difference between \$6,000 and \$7,500 represents a lot of money—and that becomes more apparent to us when we consider that the difference between \$2,000 and \$2,200 or \$2,500, in the case of lesser paid employees may mean the difference between living reasonably well, perhaps, and living in misery. However, I know that the man whose case we are considering in this particular instance is going to get the increase. He is a splendid type of man in any position. Mr. Rourke, to my mind, is as fine an executive as we have in the city. But I would move that the matter be laid on the table for the present, because every councilor in this chamber knows of hundreds of men in his ward who are getting only, say, \$1,800 or \$2,000 a year, and it is a serious problem with them to keep ahead of the rent man. That is the story here. I think it might be well to postpone action for a few weeks, until we find out whether the men who are receiving smaller pay and who are deserving of \$100 or \$200 increase are to be slapped in the face. I think the whole complexion of the situation with which we are dealing will have been changed, or will be made clear to us, within two or three weeks. Therefore, I would favor not acting upon this matter at this time, until we find out what happens to the little fellow who is entitled to a \$100 or \$200 increase.

On motion of Coun. WILSON the ordinance was laid on the table.

#### GENERAL RECONSIDERATION.

On motion of Coun. DOWLING, the Council refused a general reconsideration of all action taken today.

Adjourned, on motion of Coun. McGRATH, at 4.53 p. m., to meet on Monday, March 21, at 2 p. m.





## CITY OF BOSTON.

## Proceedings of City Council.

Monday, March 21, 1927.

Meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President HEFFERNAN presiding. Absent, Coun. Ward.

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council the Mayor submitted the following appointments for the term ending April 30, 1927:

Weights of Coal: John F. McKeon, 291 E street, South Boston; Dorothea Levine, 15 Calder street, Dorchester, for Ballou Coal Company.

Weights of Goods: Morris Mindick, 17 Sparhawk street, Brighton, Brighton Abattoir; Roy R. Nichols, 875 Saratoga street, East Boston, for B. & M. R. R.

Severally laid over a week under the law.

## VETO OF LEAVE OF ABSENCE TO VETERANS.

The following was received:

City of Boston,

Office of the Mayor, March 15, 1927.

To the City Council.

Gentlemen,—I return herewith without my approval the order of your honorable body passed on February 28, 1927, which authorizes the granting of leave of absence without loss of pay for thirty days to veterans of the World War and which authorizes me to appoint a committee to verify the war service of those employees who apply for such leave of absence.

This order is in the same form as that passed by your honorable body on February 7, except that it provides that I appoint a committee to verify the war service of employees who apply for leave of absence.

The reasons given in my letter of disapproval to your honorable body on February 18, 1927, are applicable to this order also. There has been no change in the situation which prompts me to change my judgment.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

## VETO OF AMENDMENT IN RE HOURS FOR BURIAL PERMITS.

The following was received:

City of Boston,

Office of the Mayor, March 14, 1927.

To the City Council.

Gentlemen,—I return herewith, without my approval, an ordinance passed by your honorable body, amending section 10 of chapter 3 of the Revised Ordinances of 1925, by striking out after the word "bodies" in the ninth line of said section, the words "from ten o'clock in the forenoon until twelve o'clock noon on every day in the year" and inserting in place thereof the following:

"On week days, except Saturdays, from 9 a. m. to 10 p. m., on Saturdays, from 9 a. m. to 5 p. m. and from 6 p. m. to 10 p. m., on Sundays and holidays, except Thanksgiving, Christmas and New Years, from 10 a. m. to 5 p. m., and from 6 p. m. to 10 p. m., and on Thanksgiving, Christmas and New Years, from 10 a. m. to 12 noon."

I send this back to you without prejudice, as I am sincerely desirous of arriving at a suitable and satisfactory arrangement.

At the present time the office of the Health Department is open for the issuing of burial permits from 9 a. m. to 5 p. m. daily, including Saturdays and on Sundays and holidays from 10 a. m. to 12 o'clock noon.

In addition to this arrangement, burial permits for the removal of dead bodies after the hours just stated, may be had upon application to Deputy Health Commissioner Frederick L. Davis, telephone number, Kenmore 7850; Dr. Frederick J. Bailey, telephone number, Columbia 3232; Joseph W. Monahan, telephone number, Jamaica 3562-M; or Dr. F. X. Mahoney, telephone number, Brighton 4724.

As the foregoing arrangement appears more favorable than the hours proposed by the amendment to the city ordinances, may I suggest the advisability of continuing it for trial, and, if found necessary, for further adjustment.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Referred to the Committee on Ordinances.

## LAYING OUT OF CERTAIN STREETS.

The following was received:

City of Boston,

Office of the Mayor, March 18, 1927.

To the City Council.

Gentlemen,—I transmit herewith communication from the Street Laying-Out Department relative to your orders of March 7, 1927, for the laying out and acceptance of the following streets: Westminster road, Ward 11; Frawley street, Ward 10; Manning street, Ward 18; Gilman street, Ward 18.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Street Laying-Out Department, March 16, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—Replying to the orders of the City Council relative to the acceptance of Westminster road, Ward 11; Frawley street, Ward 10; Manning street, Ward 18, and Gilman street, Ward 18.

The necessary plans for Westminster road are almost completed and the Board expects to advertise the same for a hearing within the next two weeks.

Frawley, Manning and Gilman streets are at the present time under investigation, and a report will be made thereon later in the year.

Respectfully,

FOR THE BOARD OF STREET COMMISSIONERS,

THOMAS J. HURLEY, Chairman.

Placed on file.

## SAVIN HILL AND COULTER'S BEACHES.

The following was received:

City of Boston,

Office of the Mayor, March 19, 1927.

To the City Council.

Gentlemen,—I transmit herewith communications from the Park Department in reply to your orders of March 14, 1927, in relation to taking whatever steps are necessary to make Savin Hill Beach and Coulter's Beach available for recreation and bathing purposes for coming summer season.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, March 18, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of March 17, with inclosure, order from the City Council, that the Park Department be requested, through his Honor the Mayor, to take whatever steps may be necessary to make Savin Hill Beach available for recreation and bathing purposes for the coming summer season.

In reply I desire to say that the department will have this beach ready for the opening on June 15. It is the intention to regrade the beach and thoroughly sand same, also to repair the bath house. At the present time, the report from the Board of Health relative to the pollution of the water is very unsatisfactory. It is hoped that matters will be straightened out on or before the opening.

Very truly yours,

WILLIAM P. LONG, Chairman.

City of Boston,  
Park Department, March 18, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of March 17, with inclosure, order from the City Council that his Honor the Mayor request the Park Commissioners to take whatever steps may be necessary to make Coulter's Beach available for recreation and bathing purposes for the coming summer season.

In reply I desire to say that Freeport Street Beach, commonly known as Coulter's Beach, will be placed in proper condition the same as in former years, as far as the Park Department will be allowed to do so. The Metropolitan District Commission has taken, by right of eminent domain, a large portion of this beach.

It is the intention of the department to regrade the beach and cover same with sand and paint the bath house.

Very truly yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

#### TRAFFIC OFFICER, EGLESTON SQUARE.

The following was received:

City of Boston,  
Office of the Mayor, March 17, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communication from the Police Department in reply to your order of March 7, 1927, in relation to assigning a traffic officer to permanent duty at Egleston square.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Police Department, March 14, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mayor Nichols,—In response to a request of the City Council, I wish to state that Egleston square has been made a permanent traffic post and I am sending you herewith copy of report in triplicate of Capt. James Laffey of Division 21, relative to this matter.

Yours respectfully,  
HERBERT A. WILSON,  
Police Commissioner.

City of Boston,  
Police Department, March 12, 1927.  
To the Superintendent.

Sir,—In reference to the communication received from the City Council, relative to making the traffic post at Egleston square an all-day post, I respectfully report that the traffic post at Egleston square has been covered A. M. and P. M. for the past three weeks and beginning on Monday, March 14, 1927, the post at Egleston square will be an all-day traffic post.

Respectfully submitted,  
JAMES LAFFEY,  
Captain Division 21.

Placed on file.

#### LONG ISLAND LOAN ORDER.

The following was received:

City of Boston,  
Office of the Mayor, March 14, 1927.  
To Boston City Council.

Gentlemen,—I transmit to you herewith a new loan order appropriating for improvements at the Long Island Hospital the sum of \$1,000,000. This order is identical with the loan order for \$1,000,000 for the same purpose which failed of passage in your honorable body at its session this afternoon by a vote of twelve in favor thereof and ten against. The vote indicated that a substantial majority of the Council favored the order but lacked three votes necessary to make up the two thirds majority required by the provisions of the City Charter. As I told your Committee on Finance this morning at a conference with the committee and the Institutions Commissioner I deem the improvements called for of vital importance.

These improvements may be enumerated as follows:

The enlargement of the men's dormitories to provide for 200 additional beds.

The addition of new wards in the Men's Hospital.

The construction of a suitable children's hospital building, and an additional story and new roof on the Nurses' Home.

The necessity for the men's dormitory is well shown by the fact that while its normal bed capacity is 325, at the present time it is accommodating 505. In the Men's Hospital the normal bed capacity is 125 and at present there are crowded into it 180 beds. The building at present used as a Children's Hospital was formerly used for tubercular male patients and its open wards permit of no opportunity to isolate a child infected with contagious disease and is in no way suited to child occupancy. A new building with adequate facilities for the care of children should be erected.

The Nurses' Home has had a defective roof since its original construction and constant leaks are rapidly injuring the whole structure, requiring a new roof, and, while this is being done, it is imperative that an additional story be added to make provision for additional nurses whose services are already required but for whom no housing facilities are available.

Somewhat over ten years ago there was considerable discussion tending toward keeping up the plant at Long Island, but during the years of the war and thereafter the demands recognized earlier were not met and have not been met. In my opinion it is time to meet them for the health, safety and convenience of the needy and sick for whom suitable provision should be made. No other practical measures have been suggested except those embodied in the accompanying loan order. Whatever the future need of an additional chronic hospital on the mainland may develop is no answer to the immediate urgent necessities of the inmates of Long Island. Therefore, I trust that your honorable body will give the accompanying order favorable consideration.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of one million (1,000,000) dollars be and the same is hereby appropriated for new buildings and additions to existing buildings at Long Island, as well as for equipment and furniture for such new buildings and additions, all for Institutions Department purposes, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

#### ADDITIONAL APPROPRIATION, READVILLE PLAYGROUND.

The following was received:

City of Boston,  
Office of the Mayor, March 21, 1927.  
To the City Council.

Gentlemen,—I am advised by the Park Department that in order to permit the awarding of a contract for grading and the erection of a shelter at the Readville Playground to the lowest bidder an additional appropriation of \$200 will be required. In order that there may be no delay in the making ready of this playground for use by the residents of this section of the city, I submit herewith an order providing for the appropriation of the desired amount from the Special Fund "Sales of City Property." I respectfully recommend immediate consideration by your honorable body of this order.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, March 21, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—By vote of the Board of Park Commissioners you are respectfully asked to make a request on the City Council for the transfer of the sum of \$200 from the appropriation, Sale of City Property—Special Funds, to the special loan appropriation, Playground, Readville District.

Advertised proposals were publicly opened and read at this office on March 17, 1927, for grading and shelter at Readville playground, and ten bids were submitted, the lowest being approximately \$2,450.

As the balance in the appropriation, Playground, Readville District, is only \$2,371.31, it is necessary that a transfer of \$200 be made in order that the contract may be awarded.

Very truly yours,  
DANIEL J. BYRNE, Secretary.

Ordered, That the sum of \$200 be and hereby is appropriated from Special Fund, Sales of City Property, for Playground, Readville District.  
Referred to the Executive Committee.

#### ADDITIONAL APPROPRIATION, CASTLE ISLAND.

The following was received:

City of Boston,  
Office of the Mayor, March 21, 1927.  
To the City Council.

Gentlemen,—I am in receipt of a communication from the Park Department in which it is pointed out that in order to complete certain necessary repairs and remove the dangerous condition which now exists in the roadway leading to Castle Island an additional appropriation of \$5,550 will be required. Proposals for the necessary work have already been opened at the office of the Park Department and the additional sum requested will make possible the awarding of a contract to the lowest bidder. I submit herewith an order, providing for the appropriation of the desired sum from the special fund "Sales of City Property," and respectfully recommend adoption of this order by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, March 21, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston,

Dear Sir,—By vote of the Board of Park Commissioners you are respectfully asked to make a request on the City Council for the transfer of the sum of \$5,500 from the appropriation, Sale of City Property, Special Fund, to the special loan appropriation, Castle Island, Improvements, etc.

The reason for this request is that on account of the dangerous condition of the wooden bridge at Castle Island it is necessary to have it removed at once, and to lay water pipe and grade from Marine Park to Castle Island.

Proposals to do this work were opened at this office on March 17, 1927, and seventeen bids were submitted, the lowest bid being approximately \$20,050.

As the balance on hand in this appropriation for Castle Island, Improvements, is only \$14,900.79 it is necessary that a transfer of \$5,500 be made in order that this contract may be awarded.

Very truly yours,  
DANIEL J. BYRNE, Secretary.

Ordered, That the sum of \$5,500 be and hereby is appropriated from Special Fund, Sales of City Property, for Castle Island, Improvements, etc.  
Referred to the Executive Committee.

#### SALE OF WELSH COAL SCREENINGS.

The following was received:

City of Boston,  
Office of the Mayor, March 18, 1927.  
To the City Council.

Gentlemen,—I am transmitting herewith a communication from the Public Works Commissioner relative to the sale of a quantity of Welsh coal screenings, for which they have no use, and the sale of which they desire handled by the Supply Department.

I recommend the passage of the accompanying order.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, March 16, 1927.  
To the Honorable the Mayor.

There is on hand at the Calf Pasture pumping station of this department a quantity of Welsh coal screenings for which we have no use and which it is recommended be sold. There are

between six and seven hundred tons at the plant, and the value is estimated to be more than \$500, but less than \$1,000.

The sale could best be handled by the Supply Department, and I respectfully recommend that you obtain the necessary permission from the City Council.

Yours respectfully,  
JAMES H. SULLIVAN,  
Commissioner of Public Works.

Ordered, That the Superintendent of Supplies be and hereby is authorized to sell, after public advertisement, a quantity of Welsh coal screenings belonging to the Public Works Department, valued at over five hundred dollars.  
Referred to the Executive Committee.

#### EASEMENT, ROBERTS AVENUE, WEST ROXBURY.

The following was received:

City of Boston,  
Office of the Mayor, March 15, 1927.  
To the Honorable the City Council.

Gentlemen,—Inclosed find order authorizing his Honor the Mayor of the City of Boston, in the name and behalf of said city, for a nominal consideration and upon the City of Boston receiving waivers of and releases satisfactory in form to the Law Department, for the damages caused by a taking made by a resolve and order of the Board of Street Commissioners of the City of Boston, approved by the Mayor of the said city July 30, 1913, to execute and deliver to Frank Holland, Alexandria Hammond and Max Jacobs, individually, as their interests may appear as owners of the parcels described in the said order, releases satisfactory in form to the Law Department, of an easement taken for sewer purposes in lands now owned by them. The easement herein referred to is shown on a plan marked "City of Boston, Plan No. 293, Sewerage Works, Vermont street, Roberts avenue, West Roxbury, July 15, 1913, F. O. Whitney, Chief Engineer, Street Laying-Out Department," on file in the said department.

The Commissioner of Public Works has informed me that the easement herein referred to is no longer required for public purposes.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, January 3, 1927.  
To the Honorable the City Council.

Gentlemen,—The Commissioner of Public Works having charge of an easement in private land and Roberts avenue, West Roxbury, taken by the Board of Street Commissioners for sewerage purposes, by a vote dated July 30, 1913, respectfully notifies your honorable body that in his opinion, that part of the easement in private land and Roberts avenue that was made in the lands of Thomas F. Welch and Max Jacobs, and also that part of the easement in Roberts avenue, is no longer required for public purposes. (Plan K-1059.)

Respectfully,  
JAMES H. SULLIVAN,  
Commissioner of Public Works.

City of Boston, in City Council.  
Whereas, The Board of Street Commissioners of the City of Boston by a resolve and order, approved by the Mayor of the said City of Boston, July 30, 1913, took an easement for sewer purposes in land in West Roxbury as shown on a plan marked "City of Boston, Plan No. 293, sewerage works, Vermont street and Roberts avenue, West Roxbury, July 15, 1913, F. O. Whitney, Chief Engineer, Street Laying-Out Department," on file in the office of said department; and

Whereas, There was awarded as damages caused by said taking to Thomas F. Welch and Max Jacobs the sums of two hundred thirty-two dollars (\$232) and twenty-nine dollars (\$29) respectively; and

Whereas, There was no award for damages caused by said taking to the owners of Roberts avenue, so called, a private way in said Roxbury, shown on said plan; and

Whereas, The Commissioner of Public Works of said City of Boston has by a communication



dated January 3, 1927, to the honorable City Council declared that that part of said easement that was taken in the land of Thomas F. Welch and Max Jacobs and in Roberts avenue, so called, a private way as shown on said plan, is no longer required for public purposes;

Now, therefore, it is hereby ordered that upon the City of Boston receiving waivers of and releases for the damages caused by said taking to said above-mentioned property, satisfactory in form to the Law Department, the Mayor of said City of Boston be and he hereby is authorized in the name and behalf of said city, for a nominal consideration, to execute and deliver to Frank Holland, Alexandria Hammond and Max Jacobs, individually, as their interests may appear as owners of the hereinafter described parcels, releases satisfactory in form to the Law Department of said easement in the following described premises:

Northwesterly by land now or formerly of Clara E. Pinkham, twenty-seven and 95-100 feet; northeasterly by land now or formerly of Thomas F. Welch, eight and 2-100 feet; southeasterly by said land of Thomas F. Welch, nineteen and 45-100 feet; northeasterly again by the said land of Thomas F. Welch, seventy-two feet; again northeasterly by Roberts avenue, so called, a private way, forty feet; again northeasterly by land of Thomas F. Welch situated on the southeasterly side of said Roberts avenue, fifteen and 94-100 feet; again northeasterly by land now or formerly of Max Jacobs, fourteen and 6-100 feet; southeasterly by said land of Max Jacobs, eight feet; southwesterly by said land of Max Jacobs, fourteen and 54-100 feet; again southwesterly by land of Thomas F. Welch, fifteen and 46-100 feet; again southwesterly by said Roberts avenue, forty feet; again southwesterly by land of Thomas F. Welch situated on the northwesterly side of Roberts avenue, eighty feet; containing, as shown on said plan, 798 square feet in the parcel lying northwest of Roberts avenue, so called; 320 square feet in the parcel lying within Roberts avenue, so called; 126 square feet in the parcel lying southwest of Roberts avenue, so called; 114 square feet in the parcel on said Jacobs' land, lying southeast of said Welch's land, as all of said parcels are shown on said plan No. 293, sewerage works, hereinbefore referred to.

Referred to the Committee on Public Lands.

#### TRAFFIC AT HAMILTON COOLIDGE SQUARE.

The following was received:

City of Boston,  
Office of the Mayor, March 21, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the City Planning Board in reply to your order of February 7, 1927, relative to establishment of circle for improved handling of traffic at corner of Cambridge and Charles streets, known as Hamilton Coolidge square.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
City Planning Board, March 16, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—In reply to the foregoing order I would say that the City Planning Board, under date of December 29, 1926, submitted to your Honor a plan for the regulation of traffic and the relief of congestion in the vicinity of Hamilton Coolidge square, at the intersection of Cambridge and Charles streets.

This plan, which involved the taking of certain public and private properties in order to permit of the location of a circle and other changes in the street plan at this point, with a view to facilitating the flow of traffic, was submitted in principle only with the idea that a final plan would doubtless involve some readjustments in order to conform to the ideas of the Department of Public Utilities in their consideration of plans for an elevated station at this point.

As the matter stands at the present time, the sum of \$600,000 was authorized in 1924 for the erection of a station on the Cambridge subway line at or near the corner of Cambridge and Charles streets. This appropriation of \$600,000 was based upon plans prepared by the Boston Transit De-

partment, and was considered sufficient to erect the type of station originally agreed upon, with platforms to accommodate four-car trains. These plans were later amended, however, to provide for six-car trains, which also necessitated certain changes in grades, etc., involving an estimated additional expense of \$250,000, or a total cost of \$850,000.

A bill requesting the authorization of this additional amount was submitted to the 1926 Legislature, but was referred to the next annual session.

A similar bill was introduced in the 1927 Legislature, House No. 360, providing for an additional appropriation of \$300,000, or \$900,000 in all, for the erection of the proposed station. A public hearing on this bill was held before the Legislative Committee on Street Railways and the petition was later given leave to withdraw.

A petition has now been filed by Representative Eliot Wadsworth providing for an investigation by a special commission, and a report on or before December 1, 1927, relative to the construction of an additional station on the Cambridge subway line, and to the widening in connection therewith of Cambridge and Charles streets in Boston, and has been referred to the Committee on Rules, where it rests at the present time.

In the meantime, the City Planning Board has conferred with the Department of Public Utilities and the Boston Transit Department, and it was the general sentiment that the whole matter should be held in abeyance until a decision is reached by the Legislature with regard to an elevated station at this point.

It is the opinion of the City Planning Board, as expressed in previous communications, that the entire problem should be considered as a unit, and that coincident with the preparation of plans for a new station there should be developed a program which will not only alleviate the difficulties occasioned by the congestion existing at the present time, which are admitted by all to be serious and in urgent need of relief, but will also make provision for the future with its inevitable increase in both pedestrian and vehicular traffic.

Yours very truly,  
FREDERIC H. FAY, Chairman.  
Placed on file.

#### PETITIONS RECEIVED.

The following petitions were received and severally referred to the committees named, viz.:

##### Claims.

Edward L. Bonin, for compensation for damage to automobile by city truck.

Boston Paper Board Company, for compensation for damage to automobile by city truck.

Julia R. Boutwell, for compensation for injuries caused by an alleged defect in Canal street.

Mildred Bracey, for compensation for injuries caused by hand being caught in door of North Harvard School.

Frank G. Eifler, for compensation for injuries and damage to automobile by City Hospital ambulance.

Bernard C. Friedman, for compensation for damage to automobile by truck of Water Service.

Barney Goodman, for compensation for taxi service rendered to policeman who was hit by automobile.

George Hartling, for compensation for damage to automobile by city truck.

Rubin Levine, for compensation for damage to property at 122 Intervale street, caused by ashmen.

Mr. and Mrs. Frank McDonogh, for compensation for damage to property at 20 Rosemary street, Jamaica Plain, caused by backing up of sewage.

Mrs. D. T. O'Connor, for compensation for damage to property at 265 Park street, Dorchester, during extension of elevated lines.

Mary E. Reddy, for compensation for damage to property at 57 Deatur street, caused by city truck.

Charles E. Reed, for compensation for injuries caused by an alleged defect at 56 Roberts street.

Harry E. Smith, for compensation for damage to automobile by city truck.

W. J. Stein, for compensation for damage to automobile caused by an alleged defect at corner of Dimock street and Columbus avenue.

Irene P. Tierney, for compensation for injuries caused by an alleged defect at 467 Chelsea street, East Boston.

Edward E. Wright, for compensation for loss of clothing at City Hospital.

John J. Carey, for damage to wagon at corner of Spring Park avenue and Centre street, by city truck.

Daniel P. Carey, for compensation for loss of horse caused by being struck by city truck.

Charlesbank Laundry Company, for compensation for damage to truck at corner of Dartmouth and Tremont streets, caused by city truck.

#### Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Dora Margolis, Practical Arts High School, March 17.

Mrs. W. D. Cottam, Washington Irving Hall, April 8.

#### COMMUNICATION FROM FINANCE COMMISSION IN RE GARBAGE COLLECTION.

The following was received:

The Finance Commission,  
Boston, March 21, 1927.

To the Honorable the City Council.

Gentlemen,—I inclose herewith copy of communication in regard to contracts for the collections of refuse and garbage in the districts of Dorchester, East Boston, Brighton, Hyde Park and West Roxbury.

Yours very truly,  
CHARLES L. CARR, Chairman.

Boston, March 21, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Sir,—The Finance Commission presents its final report on the refuse and garbage contract of the City of Boston with D. M. Biggs & Co. for the Dorchester district.

Inasmuch as the charges of Councilman McGrath that aliens were being employed and that the wages paid were less than the contract price of 65 cents an hour covered not only the D. M. Biggs & Co. contract in Dorchester, but also other refuse collecting contracts, the commission decided to examine all the other contractors collecting refuse, namely, in East Boston, Brighton, Hyde Park and West Roxbury. The rest of the city is taken care of by the city's own forces.

The commission finds not only that D. M. Biggs has employed aliens on the work and has paid employees less than the contract price, but finds also that John J. Moore and Francis P. Donovan, subcontractor of Joseph P. McCabe, employ aliens and that John J. Moore, John J. Ward, and Frank P. Neelon,\* subcontractor of Ward, pay less than the contract price.

Thus other contractors beside D. M. Biggs have been operating in violation of the terms of the contracts.

The contracts for collecting refuse and garbage in the above-named districts of the city contain provisions to the effect that no person other than a citizen of the United States shall be employed on any public work being done by any contractor or subcontractor dealing with the city, but specifies certain conditions under which in case of necessity others may be so employed. These conditions briefly are:

1. A sworn statement from the contractor or subcontractor.

2. A public hearing before the Commissioner of Public Works.

3. The written authorization by the Public Works Commissioner for the employment of other than citizens, with the written approval of the Mayor.

The contracts also contain a provision that the contractor shall dismiss any employee engaged in the work when so requested by the commissioner and shall not re-employ the discharged employee.

These provisions are important in considering the question at issue and give to the Commissioner of Public Works absolute authority over the contractor to require the terms of the contract to be carried out literally.

\* Mr. Neelon pays \$5 whatever the length of the day may be.

In addition to John W. Biggs, the owner of the firm of D. M. Biggs & Co., the commission examined the following contractors and subcontractors:

John J. Moore, West Roxbury District.

Joseph P. McCabe, Brighton District.

Francis P. Donovan, subcontractor on garbage, Brighton District.

John J. Ward, East Boston District.

Frank P. Neelon, subcontractor on garbage, East Boston District.

Thomas E. Bryan, Hyde Park District.

Peter Wurcell, subcontractor on garbage, Hyde Park District.

Taking the contractors as they appear in the above list, the commission found the following facts:

#### 1. D. M. Biggs & Co.

Mr. Biggs was employing eight aliens in performing his work in the Dorchester district. Mr. Biggs explains the employment of the aliens on the ground that they are assigned to the collection of the garbage and that it is almost impossible to obtain citizen help in this kind of work. Although the Commissioner of Public Works orally requested Mr. Biggs to dispense with the services of these aliens Mr. Biggs declined to do so and, although your Honor on February 25 had a conference in your office at which your Honor added your request to that of the Commissioner of Public Works that the aliens be discharged, he again refused. Although the contractor continues to employ these aliens, no public hearings have been held, as specified in the contract and no written authority by the commissioner or approved by your Honor has been granted for employing them.

#### Wages Paid.

Some of the men are paid by Mr. Biggs \$4.50 a day, which he admits is less than his contract price, and which he sought to justify on the ground that the amount received by them is far in excess of the contract price of 65 cents an hour, because they receive pay from householders for rolling out barrels and doing various cleaning jobs on his time. He claims that his men receive between \$50 and \$75 a week all together by this method. The garbage men are paid \$7.50 a day, or \$2.50 a load.

The contract for this work contains a provision that the contractor shall provide at his own expense dumps for the refuse and that he shall deliver to a scow at Victory road the garbage of the district. Mr. Biggs claimed that he uses four private dumps and the Victory road dump belonging to the Park Department. The commission made a visit to the Dorchester district and could find evidence of use by Mr. Biggs of only one private dump. It appeared to the commission that the larger part of the refuse for the Dorchester district was being carted and dumped at Victory road. The privilege of dumping at Victory road was granted to Mr. Biggs by Mr. Long, the chairman of the Park Department, over the telephone. Mr. Donnell, the deputy in the Health Department, called Mr. Long's attention to the fact that no permit had been granted by the Health Department. Mr. Long held that as it was city property he had full authority and Mr. Biggs was allowed to continue to dump there. It appeared from the testimony that J. C. Coleman & Sons Co., which last year held the contract, had also the privilege of dumping free upon the Victory road dump, but that this company had the usual written permit. This formality required the patrolling of the dump by a watchman and the running of a hose from the hydrant to the dump itself, so as to prevent the breaking out of fires. It also appeared to the commission after a visit to the dump that the locus had been fairly well filled up and that it would be inadvisable to deposit any more refuse there. The commission found, however, that the charge of Councilman McGrath that the Victory road property was left by a member of the Calender family of Dorchester to the City of Boston for the purpose of a mothers' rest or a water park was erroneous. The city acquired the title by conveyance in the regular course, as appears from the opinion sent to the Commissioner of Public Works on May 21, 1913, by Judge Joseph J. Corbett, then Corporation Counsel. This opinion may be found in the files of the Law Department, but the following quotation gives the important facts:

"The statement of your engineer that the land was decided to the city for the creation of a water



park' does not agree with the record title. The city may sell or make such use of these lands as it deems best."

### 2. JOHN J. MOORE, WEST ROXBURY.

The commission finds that Mr. Moore pays \$30 a week to his men for a six day week for a working day of 8 hours, and that he pays \$35 a week to his chauffeurs; that he employs two or not more than three aliens for work on the garbage; that although they are employed as aliens no public hearing was held and no written authority was granted by the Commissioner of Public Works for the employment of them. He has a private dump which is properly licensed.

### 3. JOSEPH P. McCABE, BRIGHTON.

The commission finds that Mr. McCabe sublets the garbage contract to Francis P. Donovan, who was the lowest bidder in this district for the general contract, but for some reason was rejected by the administration and the contract awarded to McCabe at \$46.00 a month more than the bid of Donovan. It therefore seems strange to the commission that Mr. Donovan was permitted to do the garbage work in the district under Mr. McCabe. Mr. McCabe employs only citizens in his work. He pays them \$4.50 a day for a seven hour day, and the balance is made up of tips which he allows the men to receive from the householders. He uses a private dump for his material. His subcontractor, Francis P. Donovan, testifies that of the thirteen men employed by him in the garbage removal two are aliens. All these men are paid 65 cents an hour and prior to the employment of aliens no public hearing was held by the Commissioner of Public Works, nor was written authority granted to employ them. He uses a private dump, properly licensed.

### 4. JOHN J. WARD, EAST BOSTON.

The work of collecting the garbage was let under a subcontract by Mr. Ward to Mr. Frank P. Neelon of Chelsea. Mr. Ward testified that he employed no aliens and paid 11 men \$32 a week. The rest of the force receive \$4 or \$4.50 a day, because they either do not work a full day or are allowed the privilege of doing extra work for householders or of picking over the junk. He uses a private dump for his refuse, for which a license has been granted.

### 5. THOMAS E. BRYAN, HYDE PARK.

The work of collecting garbage in the Readville district has been let to Peter Wurcel of Canton. Mr. Wurcel does the work himself. Mr. Bryan employs no aliens. The contract is a family affair. The work is done by Mr. Bryan, his uncle and his brother. He uses a private dump for his refuse which is licensed.

Although the commission criticised the letting of all the above described contracts, on the ground that not one was let to the lowest bidder it does not, now that the work has been going on under them for nearly three months, advocate cancelling them. It realizes that it is difficult for contractors to prevent their men from selling junk found in the refuse collected and from receiving pay for services rendered to householders on the contractors' time. This, however, is a difficulty for the contractors to solve. It does not release them from their contract to the city to pay the contract rate of wages.

The commission recommends:

1. That the Commissioner of Public Works require the contractors to pay the contract rate of wages.

2. That, if the need of employing aliens exists, the contractors be required to establish their right to employ them in the way provided in the contract.

3. That dumping at the Victory road land be discontinued and Contractor Biggs be required to provide whatever other dumps are necessary, to see that they are properly licensed, and that the terms of the licenses are followed.

4. That if thereafter any contractor refuses to comply with the contract provisions, the Commissioner of Public Works exercise his right to terminate the contract with the delinquent contractor.

Respectfully submitted,

THE FINANCE COMMISSION,  
by CHARLES L. CARR,  
Chairman.

Placed on file.

## STORAGE AND SALE OF GASOLINE.

Notice was received from the Street Laying-Out Department of hearings to be held April 4 on following petitions:

John A. Rockett, 440 Brookline avenue, Ward 4, 400 gallons.

John W. Baldwin, 541 Huntington avenue, Ward 4, 2,000 gallons.

Ralph C. Small, 509-515 Cambridge street, Ward 21, 1,000 gallons.

John Timon, 3446 Washington street, Ward 11, 3,000 gallons.

Referred to the Executive Committee.

## CONSTABLES' BONDS.

The constables' bonds of Abramam I. Weiss and Max Jacobs, having been duly approved by the City Treasurer, were received and approved.

## APPOINTMENT OF NINA M. GEVALT.

Notice was received of the appointment by the Mayor of Nina M. Gevalt of 52 Park street, West Roxbury, to the position of Election Commissioner. Placed on file.

## MINORS' LICENSES.

Applications were received for minors' licenses for twenty-two newsboys and twelve vendors, and it was voted that licenses be granted on the usual conditions.

## CONFIRMATION OF APPOINTMENT.

President HEFFERNAN called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointment submitted by the Mayor March 14, 1927, of Charles J. Hurley, Jr., to be a Weigher of Coal.

The question came on confirmation. Committee, Coun. Dowling and Arnold. Whole number of ballots 16, yeas 16, and the appointment was confirmed.

## MUNICIPAL BUILDING, WARD 14.

President HEFFERNAN called up, under unfinished business, No. 2 on the calendar, viz.:

2. Ordered, That the sum of five hundred thousand dollars be appropriated, to be expended by the Superintendent of Public Buildings for a municipal building in Ward 14, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, bonds or certificates of indebtedness to the said amount.

On March 7, 1927, the foregoing order was read once and passed, yeas 15, nays 1.

The order was given its second reading and passage, yeas 18. Nays—Coun. Dowling, Parkman—2.

## REPAVING OF D STREET.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave D street, South Boston, from First street to Dorchester avenue, with smooth pavement.

Passed under suspension of the rule.

## REPAVING OF BOWER STREET.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving, Bower street, Ward 12.

Passed under suspension of the rule.

## CLEAN-UP CAMPAIGN.

Coun. McGRATH offered the following:

Ordered, That his Honor the Mayor be requested to appoint a temporary committee, consisting of the



Public Works, Fire, Building and Health Commissioners, to take charge of a "Clean-up Campaign" in Boston during the period of two weeks, beginning March 28, 1927, to appoint whatever extra help may be necessary to assist in this important work, and to submit an order to the City Council calling for an appropriation of \$1,000 to advertise the campaign and asking the assistance and co-operation of organizations, business men and individuals throughout the city.

Coun. McGRATH—Mr. President, in introducing this order, I ask for a two weeks' period to be set aside, starting with next Monday, in which we can have a clean-up campaign throughout our city. There is not any question but what, with the co-operation of the Commissioners of the Fire, Health, Building and Public Works Departments, we could have a lot of these dilapidated buildings torn down, that we could have our streets which are in a terrible condition, cleaned up, which would give work to hundreds of men here, and that it would be an opportunity for bringing out our new trucks in a campaign, the same as in a blizzard, where they could go out all through the city, with the co-operation of the local firemen who could add their supervisors with the foremen in the yards, and clean up the city which, today, is in a disgraceful condition.

Coun. GUILD—Mr. President, as I listened to the reading of that order, the last part of it calls for an appropriation of \$1,000 for publicity work. I question very much the need of spending \$1,000 in an advertising campaign of that sort. It seems to me that, if the Mayor were to announce it, the public press would seize upon it as an item of news value and explain it as much as was necessary. If the several departments concerned were to make it known, even orally, just outside their doors, that they were engaged in hiring men for that purpose, the news would spread like wild fire, and I question very much, in my own mind, the advisability of spending \$1,000 for giving publicity to the campaign. I am heartily in accord with the purposes of the campaign, but I cannot see the need of spending \$1,000 to advertise the fact that we are engaged in it.

Coun. McGRATH—Mr. President, we have no authority to provide \$1,000, and so I have made that discretionary with the Mayor. If he thought he could get the proper publicity and amount of co-operation and assistance to carry on the work, I would have no objection to having them get the publicity, but I thought that might not work and, because that was discretionary and might originate with him, that I would incorporate that in the end of it.

The order was passed under suspension of the rule.

#### RECESS.

On motion of Coun. MAHONEY the Council voted, at 2:30 p. m., to take a recess, subject to the call of the Chair. The Council reassembled in the Council Chamber at 3:02 p. m., and were called to order by President HEFFERNAN.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following reports:

1. Report on petitions (referred today) for permits for children under fifteen years of age to appear at places of public amusement, that leave be granted on usual conditions:

Dora Margolis, Practical Arts High School, March 17.

Mrs. W. D. Cottam, Washington Irving Hall, April 8.

Report accepted; said permits granted.

2. Report on order submitted by the Mayor (referred today) that the sum of \$5,500 be and hereby is appropriated from special fund, sales of city property, for Castle Island improvements,—that same ought to pass.

Report accepted; said order passed, yeas 19, nays 0.

3. Report on order submitted by the Mayor (referred today) that the sum of \$200 be and hereby is appropriated from special fund, sales of city property, for playground, Readville district,—that the same ought to pass.

Report accepted, said order passed, yeas 20, nays 0.

4. Report on order submitted by the Mayor (referred today) that the Superintendent of Supplies be and hereby is authorized to sell, after public advertisement, a quantity of Welsh coal screenings belonging to the Public Works Department, valued at over \$500,—that the same ought to pass.

The question came on the acceptance of the report and passage of the order.

Coun. GUILD—Mr. President, since the meeting of the Executive Committee I have been at some pains to verify the market prices of coal of this description. This order calls for the sale of a quantity of coal screenings at a price that approximates 83 cents per ton. I find that in the open market coal screenings of that description bring much nearer \$6 a ton than 83 cents. I move therefore, that the order be amended so as to read, instead of "five hundred dollars" "twenty-five hundred dollars."

The question came on the adoption of the amendment.

Coun. KEENE—Mr. President, it appears to me in matters of this nature where a commodity or property owned by the city is to be sold through the Supply Department and the order provides that it be sold in the usual manner by advertising, and specifies that it is of a value of over \$500, it really is not the purpose of the order in such a case to indicate the actual price. That language merely indicates that the property, whatever it is, is valued at over \$500, and therefore an order of this order should be passed by the City Council in order to deal with the matter. I appreciate the point made by the councilor, that Welsh coal screenings in the market are worth approximately \$6 a ton. That, however, includes not only the coal but the carting, and the carting represents the bulk of the cost. The city owns approximately 500 tons of Welsh coal screenings, located on city property under the supervision of the Department of Public Works. They come in here and ask for permission to sell it in the usual manner, and I am not in favor of putting in a limitation of \$2,500. I should say that it would easily cost \$4 a ton through a carting concern to have it delivered. This is something that we have no use for and want to sell. It seems to me that it is here proposed to be sold in the usual manner, and the order merely states that it is valued at over \$500. I trust that the report of the committee will be accepted.

Coun. PARKMAN—Mr. President, I agree with the last speaker. I don't think it has been made clear to the members of the Council that the purpose of using this language "valued at over \$500," is simply because the departments have authority themselves, where the amount involved is less than \$500, to sell without authorization from the City Council; but, the value in this case being in excess of \$500, as stated by the order, the matter must then come before the City Council for action. That limitation, \$500, is no limitation whatever on the amount for which it is to be sold, and implies no estimate of the true value. It is simply that the value is over that amount and therefore the authority of the Council must be obtained.

Coun. GUILD—Then, Mr. President, standing corrected by the previous two speakers as to the purpose for which those words are inserted in the order, I will withdraw my motion, and I would now move to amend the order by inserting the words customary to insert in orders for sale of public land, "at an upset price of \$2,500."

Coun. Guild's amendment was declared adopted. Coun. Keene doubted the vote and asked for a rising vote. The amendment was adopted, 8 to 5, by a rising vote.

The report was accepted, and the order as amended was declared passed. Coun. Keene doubted the vote and asked for the yeas and nays.

The order as amended was passed, yeas 10, nays 9.

Yeas—Coun. Bush, Dowd, Freeley, Gilbody, Green, Guild, Heffernan, Lynch, McGrath, Wilson—10.

Nays—Coun. Donovan, Dowling, Englert, Fitzgerald, Keene, Mahoney, Parkman, Ruhy, Wragg—9.

#### COMPENSATION TO FRANK H. HAYFORD.

Coun. GUILD, for the Committee on Claims, submitted a report on the petition of Frank H.

Hayford (referred March 14), for compensation for the loss of fowls killed by dogs, recommending the passage of the following, viz.:

Ordered, That there be allowed and paid to Frank H. Hayford the sum of \$4 in compensation for the loss of two hens killed by a dog or dogs January 7, 1927, said sum to be paid from the income for dog licenses.

Report accepted; order passed.

#### SHOWER BATHS AT FRANKLIN FIELD.

Coun. RUBY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to keep the shower baths at Franklin Field open all the year round for the convenience of the people of the district.

Passed under suspension of the rule.

#### PROPOSED ABROGATION OF D. M. BIGGS CONTRACT.

Coun. McGRATH offered the following:

Whereas, The D. M. Biggs Company has four times failed to be represented before the Committee on Unemployment Conditions of the Boston City Council to contradict the testimony submitted to the committee, and which testimony tends to show that (1) the company is employing aliens to more than ten per cent of its total personnel; (2) the company refused to pay the prevailing rate of wage as contracted for to some forty of its employees and (3) the company has been using land for a dump without the approval of the Fire and Health Commissioners as specified in section 5 of the contract; be it therefore

Ordered, That his Honor the Mayor be requested to direct the Public Works Commissioner to abrogate the contract made between the City of Boston and the D. M. Biggs Company for the removal of ashes and garbage in the Dorchester district, for the reason that the D. M. Biggs Company is not complying with the terms of the contract.

The question came on the passage of the preamble and order.

Coun. McGRATH—Mr. President, I have introduced this order because I personally feel, as the Finance Commission after a long controversy have finally handed down their findings in this matter, that the people of this city are to be congratulated upon this unscrupulous contractor being blocked in his refusal to carry out his contract in a proper manner. The report of the commission came in only about half an hour ago, and I have not had ample opportunity to read it; so I am not as prepared as I would like to be to pass on the matter. I find they say that Biggs testified that it is almost impossible to obtain citizens to do this kind of work, and that, although the Commissioner of Public Works has requested Biggs to dispense with the service of aliens and employ citizens he declines to do so. He says, sir, that he cannot get citizens to take the place of these aliens whom he is now employing in Dorchester. In that matter I would submit the testimony of P. Henry Jennings, the business agent of the Central Labor Union, who says there are between 60,000 and 70,000 men unemployed in Boston today, and when we asked him about possibly getting some of those men who are citizens to take the place of these aliens, he said yes, that hundreds of them would even be glad to drive swill wagons. That was his expression. When the Public Works Commissioner says to Mr. Biggs, "You dispense with the services of these men," and he refuses, I think that is a very hostile act. But, sir, it says farther down in the report of the commission that some of the men are paid by Mr. Biggs \$4.50 a day, which he admits is less than his contract price. He excuses his not paying the price he is expected to pay under the contract by saying that the men receive pay from householders for rolling out barrels and doing various cleaning jobs during the time when they are employed on the contract work. Now, sir, these men were not employed by the householders and they were never supposed to be paid by the householders; and I think this could be called a violation of the contract, because, as I understand it, they are supposed to return the

barrels to the point where they found them without cost. Mr. Biggs also claimed that he used four private dumps. That is what he claimed when he was under oath before the commission. What is the truth of the matter? The commission says:

"The commission made a visit to the Dorchester district and could find evidence of use by Mr. Biggs of only one private dump."

Even under oath this man would not tell the truth. Now, sir, he also refuses to let the aliens go and to hire citizens; he refuses to pay the contract price, and the only thing left to do is what this order calls for, abrogate that man's contract, because he absolutely refuses to carry out the terms of the contract he signed with the City of Boston. So far as the dump is concerned, in my experience in politics I have always found it to be the consensus of opinion of men in politics that there are two departments in the city that no man can afford to tamper with. One is the Fire Department and the other is the Health Department. That is because the functioning of these two departments is so important to the welfare of the city. Under section 5 of the contract this man was not supposed to use a dump unless he got the approval of the Public Works Department and the Health and Fire Departments. He went ahead and used this dump, however, without the approval of the Fire and Health Departments, and I say that until the Finance Commission places the responsibility for this they have not completed their report. Who is responsible? Who is responsible for holding up the workings of the Health and Fire Departments? From my way of looking at this report they admit that murder has been committed, but there is no murderer indicated, and until such time as the Finance Commission finish their report, showing us what powerful political factor in this city had courage enough to openly defy the ordinances with reference to the Health and Fire Departments, I don't feel that the citizens of this city will consider that they have done their duty. I am glad that they made the findings they did, and sent a copy of their findings to the Hall, showing exactly what the hearings brought forth; but I sincerely hope they will go farther and insist that this contract be abrogated entirely.

Coun. GILBODY—Mr. President, I am glad the chairman of the Committee on Unemployment has brought this matter up, and I am going to support this order, because from my knowledge of the matter I know that what he says is true. The plan of campaign I had in mind was to try to have the amount for the Biggs contract stricken out of the Public Works Department appropriation, when it came before the budget committee, for violation of the contract in Dorchester. As the previous speaker has well said, the four salient charges brought out as a result of the hearing before the Committee on Unemployment, on February 12, brought this matter to a head, and what was indicated as the result of the examination by the committee is now substantiated by the report of the Finance Commission. I am going to take the time of the Council for but a moment to set forth, for the purpose of the record, a specific instance. I have in my hand the name of a man who has been seeking work from this contractor and who has been unable to get it. He is a man with five children, a citizen of Boston, endeavoring to support his family, typical of many other citizens, ready and willing at a moment's notice to go to work for Mr. Biggs, the Dorchester contractor. We are now going through this trouble in regard to this contract, which is being violated, as has been set forth, and I would like to suggest a constructive solution. There is here a violation of the rules of the Health Department and the Fire Department. The solution is this, and it is one that can be put into effect within a few months. Develop your scow dumping system. Have the ashes and garbage dumped into a scow and transported to Spectacle Island or dumped into the sea. That is the solution. The whole situation could be remedied very easily except for the mysterious hand that is conducting the campaign on behalf of this contractor, as suggested by Coun. McGrath. We have heard many rumors going about in Dorchester but I merely suggest that this order be passed, and if the action suggested is taken there will then be no necessity of carrying out my suggestion to have the amount of the Biggs contract stricken from the budget.



Coun. GUILD—Mr. President, this is a matter of considerable importance, and I have not had the benefit of attending the meetings of the Committee on Unemployment, which have been held from time to time. We are confronted here this afternoon with the report of the Finance Commission. That report, I take it, in its terms does not suggest the stand which Coun. McGrath's order calls upon us to take. Therefore, I am a little bit reluctant, not having had time to thoroughly digest the Finance Commission's report, to vote upon this order at this time. I would, accordingly, move that the matter be assigned to the next meeting.

The question came on assignment of the preamble and order to the next meeting.

Coun. McGRATH—Mr. President, because of the importance of this entire situation, as Coun. Guild intimates, I think we should strike while the iron is hot. We all know how these things die out, if you allow them to lay over sometimes even for twenty-four hours. It is clear that this contractor is still refusing to carry out the recommendations of the Commissioner of Public Works, and there certainly should be some power in this city to show this contractor that he cannot deny to the citizens the right to have their money properly expended. I hope that we will take action while the iron is red hot.

The motion to assign the preamble and order to the next meeting was declared lost.

The preamble and order were passed under suspension of the rule.

#### NEW COURTHOUSE, SUFFOLK COUNTY.

Coun. GILBODY offered the following:

Whereas, The City Council of Boston in regular meeting assembled January 17, 1927, adopted a resolution favoring legislation authorizing the City of Boston to borrow money outside the debt limit to be used for the purpose of building a new courthouse in the City of Boston; and

Whereas, Said resolution was vetoed by his Honor the Mayor on January 31, 1927; and

Whereas, A report and bill is now before the Legislature for the appointment of a state commission to take land and build a courthouse in the City of Boston, one half the cost of which is to be paid by Suffolk County; therefore be it

Resolved, That the City Council of Boston oppose any legislation creating a state commission to build a courthouse for the City of Boston as an unwarranted invasion of the rights of the people of Boston; and he it further

Resolved, That the City Council of Boston oppose Senate Bill No. 251, now pending; and he it further

Resolved, That the City Council of Boston adhere to its position as expressed in the resolution adopted on January 17, 1927, in favor of a new courthouse to be built by the City of Boston.

Referred to the Executive Committee.

#### SUFFOLK COUNTY EXPENSES.

Coun. PARKMAN offered the following:

Resolved, That the Boston City Council favors the appointment of a special commission, fairly representative of the various interests of the County of Suffolk, to study and report on the apportionment of Suffolk County expenses.

Coun. PARKMAN—Mr. President, just a word in explanation of that resolve. The bill for apportionment of county expenses among the cities of Boston, Chelsea and Revere and the town of Winthrop was given leave to withdraw in the Legislature, and there is now pending before the Committee on Counties a substitute resolve providing for a commission to study and report to the Legislature on the subject. I have introduced this resolve in order to support the resolve of Representative Tobin, which is now before the Joint Committee on Counties, and I would like to ask for a suspension of the rule and the passage of the order.

The order was passed under suspension of the rule.

#### SIDEWALK ON TALBOT AVENUE.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Talbot avenue, both sides, between Codman square and Peabody square, Ward 17, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edge-stones, under the provisions of chapter 196 of the Special Acts of 1917.

Coun. WILSON—Mr. President, speaking upon this order, I do not look upon it as an ordinary sidewalk order. Talbot avenue, between Codman square and Peabody square, Dorchester, is a 50 or 60 foot main highway, with a car line, and it is a direct route to Neponset and the South Shore. It seems to me it is entitled to have good sidewalks throughout its entire length. At the present time at intervals on each side, there are granolithic sidewalks built or contracted for, for about two thirds of the distance, but on the easterly side there are five, and on the westerly side four stretches of dirt sidewalk. During the past week the department in charge of that part of the city has been kind enough to put up stakes and red lanterns to mark the exceptionally bad crevasses, mud holes and quicksands that one encounters in passing along the sidewalk, but in an enlightened community such as Boston it should really not be necessary to chart and mark out our sidewalks on main highways with danger signals after each had storm. I accordingly ask a suspension of the rule and passage of the order at this time.

Coun. GILBODY—Mr. President, inasmuch as I divide the representation of this section with my brother, I would also like to point out the fact that the sidewalks are used by hundreds of children going to and from the Dorchester High School, that conditions are very bad, and that this is an important matter which demands immediate attention.

The order was passed under suspension of the rule.

#### RECONSIDERATION REFUSED.

On motion of Coun. BUSH, a general reconsideration of all action taken today was refused.

Adjourned at 3.36 p. m., on motion of Coun. PARKMAN, to meet on Monday, March 28, at 2 p. m.





## CITY OF BOSTON.

## Proceedings of City Council.

Monday, March 28, 1927.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President HEFFERNAN in the chair. Absent, Coun. Bush and Ward.

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council the Mayor submitted the following appointments for term ending April 30, 1927:

Weigher of Goods: Edward Dodds of 15 Wrentham street, Dorchester, Corn Products Sales Company.

Weigher of Coal: Philip A. Dormin of 112 St. Botolph street, Boston.

Severally laid over a week under the law.

## VETO OF RESOLUTION FAVORING DUDLEY STREET WIDENING.

The following was received:

City of Boston,  
Office of the Mayor, March 28, 1927.  
To the City Council.

Gentlemen,—Referring to the following resolution: "Favoring legislation authorizing the City of Boston to borrow money, outside the debt limit, for the widening of Dudley street in the Roxbury District," I would refer to Joint Rule 7B of the Legislature which requires the specific approval of the Mayor and the City Council and I am unwilling to approve this matter, and hereby return it without my signature.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

## ELECTRIC SIGNAL SYSTEM IN ANNEX.

The following was received:

City of Boston,  
Office of the Mayor, March 28, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Public Buildings Department in reply to your order of March 14, 1927, in relation to repairs to electric signal system on elevators in City Hall Annex.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Buildings Department, March 23, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Replying to the inclosed order of the City Council under date of March 14, 1927, in which the Superintendent of Public Buildings is requested, through his Honor the Mayor, to have the electric signal system of the elevators in City Hall Annex repaired at once, I wish to state that the order probably has reference to the lights on the elevator fronts at the various landings, which do not operate. The truth of the matter is that this system of signals was discontinued some years previous owing to the fact that the construction was such that it was a physical impossibility to keep them in working order. When this system was discontinued another was installed, namely, that when a person pushed a button on any of the floors, a light would automatically appear in the elevator car and would acquaint the operator of the fact that the car was required at the particular floor on which the button was pushed. This feature is working quite satisfactorily at the present time.

However, I am looking into the matter and if I find that the former electric system could be

restored without any great expense, I will be only too glad to make the change.

Respectfully yours,  
JOHN P. ENGLERT,  
Superintendent of Public Buildings.

Placed on file.

## VETO OF ORDER SALE OF COAL SCREENINGS.

The following was received.

City of Boston,  
Office of the Mayor, March 28, 1927.  
To the City Council.

Gentlemen,—I return herewith, without my approval, the order in the amended form passed by your honorable body on March 21, 1927, relative to the sale of Welsh coal screenings.

The order as originally submitted to you specified that the coal screenings were valued at over \$500 and made no reference to the sale price at that figure. There are between 600 and 700 tons for disposal at a value estimated to be more than \$500 but less than \$1,000.

The screenings referred to are those which were left from a cargo of Welsh coal which was publicly sold by the Fuel Committee during the coal shortage in 1922-23. They are of much inferior quality than the American anthracite and Welsh screenings on the market today. In 1924 the Boston Consolidated Gas Company, having a plant on the adjoining lot, made an offer of \$2.25 per gross ton, they to do the loading and carting, but withdrew their offer on account of the expense involved in loading and carting same. In 1925 the screenings were offered to the Metropolitan Coal Company but after trying them they too refused them on the grounds that they were unsatisfactory.

After the first of March of this year, due to the shortage of the market on screenings, we had an offer of \$1.50 per ton.

In view of the foregoing the order of your honorable body now before me is of no value whatsoever, and for that reason I cannot give it my approval.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

## REBUILDING OF EAST RIVER STREET BRIDGE.

The following was received:

City of Boston,  
Office of the Mayor, March 23, 1927.  
To the Honorable the City Council.

Gentlemen,—I have received from the Commissioner of Public Works a letter, hereto appended, in which he states that plans have been prepared for rebuilding the East River Street Bridge, Hyde Park, over the tracks of the New York, New Haven & Hartford Railroad, as part of the improvement of River street, authorized by chapter 260, Acts of 1926.

Before the work is done it will be necessary to petition the Public Utilities Department for its decision as to the necessity for the alteration. The alteration proposed will be necessary for the proper construction of the street.

I therefore recommend the passage of the accompanying order so that the work may be commenced as soon as possible.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, March 2, 1927.  
To the Honorable the Mayor.

Plans have been prepared for rebuilding the East River Street Bridge, Hyde Park, over the tracks of the New York, New Haven & Hartford Railroad, as part of the improvement of River street, authorized by chapter 260 of the Acts of 1926.

The next step will be for the City Council to petition the Department of Public Utilities for a decree as to the necessity for rebuilding the bridge. This is the procedure prescribed by law, and undoubtedly the city, as the petitioner, will be the party determined to do the work and bear the cost in the first instance, after which the railroad company will be called upon to pay its share.

I respectfully recommend that your Honor ask the City Council to petition the Public Utilities Commission for a decree in connection with this construction.

Yours respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Whereas, River street, a public way in the Hyde Park district in the City of Boston, crosses the tracks of the Midland Division of the New York, New Haven & Hartford Railroad by an overhead bridge, commonly known as the East River Street Bridge; and

Whereas, By the provisions of chapter 260, Acts of 1926, the Board of Street Commissioners are authorized to alter and reconstruct the said bridge in connection with the widening and reconstructing of said East River Street Bridge from Everett square to Mattapan square to a width of not less than fifty feet; and

Whereas, We are of the opinion that it is necessary for the security and convenience of the public that an alteration which does not involve the abolition of the crossing at grade should be made in said overhead bridge and its approaches;

Ordered, That the Corporation Counsel, in the name and behalf of the City Council, apply to the Department of Public Utilities for its decision upon the necessity of such alteration, and for prescribing the manner and limits within which it shall be made; and if the decision of the Department of Public Utilities is that an alteration is necessary that the Corporation Counsel take such legal proceedings as are necessary to have such decision carried into effect in compliance with sections 59 to 64, both inclusive, of chapter 159 of the General Laws of Massachusetts, 1921.

Referred to the Executive Committee

#### PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

##### Claims.

E. J. Andersen, for compensation for personal injuries and damage to automobile caused by being struck by city ambulance.

Blinn-Morrill Company refund on refuse tickets.

Thomas F. Burke, for compensation for injuries caused by attendant at Convenience Station, Roxbury.

Mae C. Devine, for compensation for injuries caused by an alleged defect at 28 Tremont street.

M. Erysian, for refund on refuse tickets.

A. A. Frederick, for compensation for damage to automobile by car of Police Department.

Catherine A. Hanson, for compensation for injuries caused by defective condition of stairway at East Boston High School.

Sarah Leish, for compensation for damage to property by ash truck.

Gertrude E. Lyden, for compensation for injuries caused by an alleged defect at Washington and Harvard streets.

Lillian McColgan, for compensation for injuries caused by being struck by city truck.

Alice McLaughlin, for compensation for injuries caused by an alleged defect in North Beacon street.

Mrs. John McNair, for compensation for injuries caused by an alleged defect in Lamartine street.

Mrs. Leah Ostrowitz, for compensation for injuries caused by being struck by city truck.

Harry Somerstein, for compensation for injuries caused by an alleged defect in Washington street, Brighton.

Jessie Todd, for compensation for damage to property at 6 Crestwood park, caused by sanitary truck.

Thomas H. Williams, Jr., for compensation for injuries caused by an alleged defect at 1 Victoria street, Dorchester.

Teresa Zagarella, for compensation for damage to property at 8 Longwood terrace, caused by city truck.

Florence Steele, for compensation for injuries caused by being struck by glass falling from school building on Church street.

#### Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Jennie M. Trainor, Jordan Hall, May 18.

East Boston Masonic Association, Music Hall, March 29, 30, 31 and April 1, 1927.

Ethel Hawkins Forrest, Repertory Hall, April 18.

#### SIDEWALKS ASSESSMENTS.

Communications with accompanying orders were received from the Commissioner of Public Works submitting cost of constructing artificial stone sidewalks as follows, with half cost to be assessed to owners of estates bordering thereon:

Sarsfield street, Ward 9, half cost, \$36.57.

Walpole street, Ward 9, half cost, \$51.41.

Elm Hill avenue, Ward 12, half cost, \$761.39.

Robinson street, Ward 15, half cost, \$2,106.38.

Cunard street, Ward 9, half cost, \$138.10.

Boston street, Ward 7, half cost, \$717.57.

Robin Hood street, Ward 13, half cost, \$240.98.

The orders were severally passed under suspension of the rule.

#### PAY ROLL, REGISTRY OF DEEDS.

The pay roll of Registry of Deeds for the period from February 14 to March 19, 1927, inclusive, amounting to \$13,757.56, was received and approved.

#### APPOINTMENT OF SANITARY INSPECTOR.

Notice was received from the Health Department of appointment of William O. Quirk, 152½ Chestnut avenue, Jamaica Plain, as sanitary inspector in Health Department.

Placed on file.

#### STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings to be held April 11 on following petitions for storage and sale of gasoline:

Marshall B. Hall Company, 1242 Dorchester avenue, Ward 15, 1,000 gallons.

Henry W. Hebb, 114 Colonial road, Ward 21, 1,000 gallons.

David Ovans, 32 Everett street, Ward 22, 1,000 gallons.

Vasilios Primpas *et al.*, 559 River street, Ward 18, 2,000 gallons.

Referred to the Executive Committee.

#### NOTICE OF HEARING ON TRACKS ACROSS C STREET.

Notice was received of hearing to be given April 6 by the Department of Public Utilities on petition of Walworth Manufacturing Company to construct private railroad across C street, South Boston.

Placed on file.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President HEFFERNAN, under unfinished business, called up No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor March 21, 1927, of John F. McKeon and Dorothea Levine, to be Weighers of Coal, and Morris Mindick and Roy R. Nichols, to be Weighers of Goods.

The question came on confirmation. Committee, Coun. Fitzgerald and Guild. Whole number of ballots 14, yeas 14, and the appointments were confirmed.

#### ANNUITY FOR WIDOW OF BARTHOLOMEW J. DOWD.

Coun. KEENE offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of Bartholomew J. Dowd, late



member of the Boston Fire Department, who died from injuries received in the performance of his duty, such annuity to continue so long as said widow remains unmarried and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Referred to the Executive Committee.

#### HALF HOLIDAY FOR CLEANING FORCE, CITY HOSPITAL.

Coun. DOWLING—Mr. President, in the absence of Coun. Ward, who is ill and, I understand, has gone to the hospital today, I desire to present this order for him.

Coun. DOWLING, for Coun. Ward, offered the following:

Ordered, That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, to grant a half holiday on Saturdays during the year to the employees of the house cleaning department.

Coun. DOWLING—Mr. President, Coun. Ward asked me to make a statement to the members of the Council in connection with that order. A week or two ago the Council passed an order that applied to the women, and the hospital trustees did not include in the benefits to be derived from the order a number of male employees. Therefore, this order is introduced, and Coun. Ward hopes that it will pass.

The order was passed under suspension of the rule.

#### REPORT OF COMMITTEE ON UNEMPLOYMENT.

Coun. McGRATH, for the Special Committee on Unemployment, submitted the following report:

The Special Committee on Unemployment of the City Council submits the following partial report of the committee relative to that phase of the investigation that covered eavesdropping and listening in by the New England Telephone and Telegraph Company.

On February 14, 1927, the following order was adopted at the City Council meeting:

"Ordered, That his Honor the Mayor be authorized, in the name and on behalf of the City of Boston, to petition the Massachusetts Legislature during its present term for legislation to repeal section 102 of chapter 272 of the General Laws of 1921."

In order that the entire matter may be explained properly, we quote the following four sections of the chapter.

(Chapter 272, Crimes against Chastity, Morality Decency and Good Order)

Section 99. Whoever, except when authorized by written permission of the attorney general of the Commonwealth, or of the district attorney for the district, secretly overhears, or attempts to overhear, or to have any other person secretly overhear, any spoken words in any building by using a device commonly known as a dictagraph or dictaphone, or however otherwise described, or any similar device or arrangement, or by tapping any wire, with intent to procure information concerning any official matter or to injure another, shall be guilty of the crime of eavesdropping and shall be punished by imprisonment for not more than two years or by a fine of not more than one thousand dollars, or both.

Section 100. Whoever, except when authorized under the preceding section, either on his own account or as the servant or agent of another, permits or acquiesces in the installing of a device commonly known as a dictagraph or dictaphone or any similar device or arrangement, or the tapping of any wire, with intent to procure or knowing or intending that it will be used to procure information concerning any official matter or to injure another, shall be punished by imprisonment for not more than two years or by a fine of not more than one thousand dollars, or both.

Section 101. Proof of the installation in any building of any device or arrangement which may be used for the purpose of violating the provision of section ninety-nine of this act by listening to any spoken words or proof of the tapping of any wire, unless duly authorized and unless done with the consent of the owner or person in control of the building, shall be *prima facie* evidence of the

commission of the crime of eavesdropping; but nothing contained in this or the two preceding sections shall render it unlawful for any person to install and use such a device on premises under his exclusive control.

Section 102. The three preceding sections shall not apply to a corporation subject to the jurisdiction of the department of public utilities of the commonwealth or to the jurisdiction of the interstate commerce commission, or to the employees of any such corporation while engaged in the conduct of its business.

The order proposed an amendment to the law so that the New England Telephone and Telegraph Company and its employees would be placed on the same basis as every person in Boston and Massachusetts.

On February 28, 1927, the Mayor sent back the order accompanied by a veto message, and on March 14, 1927, he submitted to the City Council the opinion of the Corporation Counsel to substantiate his action in vetoing our order.

As he has summarized the entire situation which forms the basis for his veto by stating that there is sufficient power now invested in the Department of Public Utilities to enforce an order relative to wire tapping or eavesdropping by the New England Telephone and Telegraph Company, I wish to submit an answer which contradicts this opinion of his Honor and which I believe is self-explanatory.

March 22, 1927.

Mr. Joseph McGrath, City Councilor, City Hall, Boston, Mass.

Dear Sir,—I have your letter of the 19th instant, inquiring whether this department has ever issued an order relative to wire tapping or eavesdropping by the New England Telephone and Telegraph Company, and in reply would say that no such order has ever been issued by this department or its predecessor. My idea that an order of this commission would be difficult to enforce is based upon the fact that persons can listen in to telephone conversations without the people conversing being aware of it, and to effectively enforce such an order made by this department would involve the employment of a very great number of inspectors.

With kind regards, I am,

Yours very truly,  
(Signed) HENRY C. ATTWILL,  
Chairman.

This letter shows that as a practical matter the Public Utilities Commission, under their general powers, are unable to prevent wire tapping or eavesdropping on the part of the Telephone Company, and section 102 previously quoted, exempts the Company from prosecution or control under chapter 272 of the General Laws.

The committee believes this is a situation which should be corrected and submits this report so that if the matter is again taken up the Mayor and others interested will have the benefit of the information we have collected.

Coun. McGRATH—Mr. President, I move that the reading of the report be dispensed with. It is a report of the Committee on Unemployment, and it can be laid over a week so that all the members will have an opportunity to see it in print and know how to govern themselves.

The reading of the report was dispensed with, and it was ordered printed as a public document, and laid over to the next meeting.

#### RESURFACING OF WASHINGTON STREET, DORCHESTER.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be and he hereby is respectfully requested forthwith to make immediate arrangements for the resurfacing of Washington street, Dorchester, especially between Park street and Talbot avenue, in view of the present unsafe and dangerous condition of said highway.

Passed under suspension of the rule.

#### FENCE FOR HAROLD PARK, WARD 12.

Coun. WILSON, for Coun. Bush, offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to include in the budget for the current year a sum sufficient to construct a suitable iron railing or picket fence to surround the small triangular park known as Harold park, located in Herbert J. Wolf square, Ward 12.

Coun. WILSON—Mr. President, I have introduced this order at the request of Coun. Bush, who resides near the square in question. The square in which this park, consisting of a small triangular plot of land, is located was named after Herbert J. Wolf, a member of the American Expeditionary Forces, who was the first boy from New England to die in France. Herbert J. Wolf was the bugler of Headquarters Troop of the 102d Machine Gun Battalion, and also served on the horder in the First Squadron, Massachusetts Cavalry. He was the son of former inspector Morris Wolf of the Boston Police Department, and Mr. Wolf is planning to erect a monument and tablet on that park to commemorate the service and sacrifice of his son.

The railing is designed to protect the park and monument from being desecrated by vandals and from being overrun by children. It is not large enough for the purposes of a playground, and in fact consists of but approximately thirty square feet, and is therefore too small to be used for any other purpose.

The order was passed under suspension of the rule.

#### ROPING OFF STREETS APRIL 9.

Coun. DOWD offered the following:

Ordered, That the City Messenger be and hereby is authorized to rope off the streets in the vicinity of Union Park street and Harrison avenue on April 9 for the road race held by the Cathedral Young Men's Catholic Association, the expense to be charged to the appropriation for City Council, Flags, Ropes and Stakes.

Passed under suspension of the rule.

#### RECESS.

On motion of Coun. RUBY, the Council voted at 2.21 to take a recess subject to the call of the President. The members of the Council reassembled in the Council Chamber and were called to order by President HEFFERNAN at 3 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following:

1. Report on petitions (referred today) that permits be issued under usual conditions for children under fifteen years of age to appear at places of public amusement, viz.:

Jennie M. Trainor, Jordan Hall, May 18.  
East Boston Masonic Association, Music Hall, March 29, 30, 31 and April 1.

Ethel Hawkins Forrest, Repertory Hall, April 18.  
Report accepted; said permits granted.

2. Report on order (referred today) that there be allowed and paid to the widow of Bartholomew J. Dowd, late a member of the Boston Fire Department, who died from injuries received in the performance of his duties, an annuity of \$600—that the same ought to pass.

Report accepted; said order passed.

3. Report on order submitted by the Mayor (referred today) that the Corporation Counsel, in the name and behalf of the City Council, apply to the Department of Public Utilities for its decision upon the necessity of alteration of bridge in Hyde Park crossing the tracks of the Midland Division of the New York, New Haven & Hartford Railroad, and for prescribing the manner and limits within which it shall be made, etc.—that the same ought to pass.

Report accepted; said order passed.

#### SPECIAL COMMITTEE ON JITNEYS.

Coun. DOWD, for the Committee on Jitneys, submitted report on petition (referred January 31) of Boston Motor Tours Company for license to operate five buses in City of Boston—that license be granted.

Report accepted; said license granted under the usual conditions.

#### SIDEWALK ON HAMILTON STREET.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Hamilton street, both sides, between Clarkson and Coleman streets, Ward 15, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### ANNUITY TO WIDOW OF JOSEPH M. DONOVAN.

Coun. McMAHON offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of Joseph M. Donovan, late member of the Boston Fire Department, who died from injuries received in the performance of his duty, such annuity to continue so long as said widow remains unmarried and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Referred to the Executive Committee.

#### ARC LAMP, CODMAN PARK, WARD 11.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an electric arc lamp in front of 58 Codman park, Ward 11.

Passed under suspension of the rule.

#### ACCEPTANCE OF CHAUNCY PLACE, WARD 11.

Coun. ENGLERT offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public highway Chauncy place, Ward 11.

Passed under suspension of the rule.

#### APPEARANCE OF FRANCES HEENAN "PEACHES" BROWNING.

Coun. DOWLING offered the following:

Ordered, That the Censorship Bureau be requested, through his Honor the Mayor, to deny to Frances Heenan "Peaches" Browning the right to appear on the stage at any public performance in this city.

Coun. DOWLING—Mr. President, I am informed by a representative of the press, who got his information today from New York, that a certain notorious woman in the great metropolis known by the name of Frances Heenan "Peaches" Browning today signed a contract for an extended vaudeville tour, and that her itinerary includes Boston. I do not believe there is a man, woman or child in this city who goes to any of the public play houses who anticipates with any great degree of pleasure the public appearance here of a woman who pretty nearly reached the stage of a public prostitute. The appearance of a woman of that character in the presence of the children of this city, who attend performances without escort, ought to be denied, and I hope that the order will pass. (Applause in the gallery.)

The order was passed under suspension of the rule.

#### BUILDINGS IN CITY YARDS, ALBANY STREET.

Coun. DOWD offered the following:

That the Commissioner of Public Works be requested, through his Honor the Mayor, to take



immediate steps to demolish the dilapidated and unsightly buildings located in the city yards on Albany street, Ward 8, which constitute a health menace and fire hazard to the residents of said district, and that provision be made to replace the same by the erection of a modern fireproof building to house the Sewer, Street Cleaning, Sanitary and Paving Services of said district.

Passed under suspension of the rule.

#### NAMES OF THREE COUNCILORS.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to furnish the Council at the next meeting with the names of the three councilors whom he has threatened to name as treading on dangerous ground.

Coun. DOWD—Mr. President, I was rather surprised, to say the least, not to say amused, when I read in the afternoon papers of last week the statement that his Honor the Mayor had said publicly that there were three members of the Boston City Council who were treading on very dangerous ground. I really do not know what his Honor the Mayor means when he says we are treading on dangerous ground. I do not feel, as one member of the Council, that I have anything to hide or to be ashamed of during my membership in the Boston City Council. It is true that I have opposed Mayor Nichols and this administration from the very first day I took office, for the simple reason that I do not like the methods used by those who are supposed to be running the City of Boston. I think if his Honor the Mayor has anything on any three members of the Boston City Council he should have the guts to come out and name the three councilors who are, as he says, treading on dangerous ground. I respectfully ask a suspension of the rule and the passage of the order.

Coun. GUILD—Mr. President, I move reference of the order to the Executive Committee.

Coun. DOWD—Mr. President, I believe his Honor the Mayor made a statement last week which was given, as I have said, publication in the press of this city, to the effect that I have stated. If this Council does not see fit to reply to his Honor the Mayor, the public may believe that there are three councilors in this body who are afraid to have their names mentioned. I believe, therefore, that we should strike and should ask the Mayor this question while the iron is very, very warm.

Coun. GUILD—Mr. President, it behooves me to explain my position. I do not gainsay that the councilor who has just taken his seat is correct in his statement as to what was published, purporting to come from his Honor the Mayor, but it was not in any publication that came to my attention, and before voting upon this matter I think I should be favored with the exact reference to what has been said, should be permitted to see whatever has been printed on the subject. It may be that I am so far remote from the public press that I do not get everything that is inserted therein, but before being asked to vote in this matter I feel that I should at least know what I am voting upon. Therefore, I have moved reference of the order to the Executive Committee.

Coun. DOWD—Mr. President, before referring the order to the Executive Committee, if the Council so desires, I believe I could answer Coun. Guild in this way, that I think most of the councilors, at least, read what was published in a certain afternoon paper of last week which stated, and stated very plainly, that Mayor Nichols said that three councilors were treading on very dangerous ground.

Coun. GUILD'S motion to refer the order to the Executive Committee was declared lost. Coun. GUILD doubted the vote and asked for a rising vote. The motion to refer the order to the Executive Committee was lost upon a rising vote, 9 to 10.

The rule was declared not suspended, for the passage of the order. Coun. DOWLING doubted the vote and asked for a rising vote.

The motion to suspend the rule for passage of the order was lost (a two-thirds vote being necessary for suspension), 10 to 9.

President HEFFERNAN—Less than two thirds having voted in favor of the motion, it is not a vote, and the order is referred to the Executive Committee, under the rules.

#### RECESS.

Coun. WILSON—Mr. President, I move that we take a recess, subject to the call of the Chair.

Coun. FITZGERALD—Mr. President, I would like to know for what purpose it is proposed that we take a recess.

Coun. WILSON—Mr. President, I understand that the last order offered was referred to the Executive Committee, and I am very much in favor of getting rid of it at this time.

The Council voted at 3.14 p. m. to take a recess subject to the call of the Chair.

The members reassembled in the Council Chamber and were called to order by President HEFFERNAN at 3.34 p. m.

#### ROPING OFF CENTRE STREET.

Coun. GUILD offered the following:

Ordered, That the City Messenger be authorized to rope off Centre street, Jamaica Plain, from Walden street to a point about one hundred yards beyond Gay Head street, on the occasion of the Michael J. O'Connell Post, American Legion, road race on April 19, 1927; the expense attending the same to be charged to the appropriation for City Council, Flags, Ropes and Stakes.

Passed under suspension of the rule.

#### SALARY OF BUILDING COMMISSIONER.

On motion of Coun. FITZGERALD the Council voted to take No. 3 from the table, viz.:

3. An Ordinance concerning the salary of the Building Commissioner.

Be it ordained by the City Council of Boston, as follows:

Section 5 of chapter 3 of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the Building Commissioner by striking out the words "six thousand" and inserting in place thereof the words "seventy-five hundred."

The question came on the passage of the ordinance.

Coun. McGRATH—Mr. President, this is an ordinance establishing the salary of the Building Commissioner at \$7,500 a year instead of \$6,000 a year. Some three weeks ago I had the ordinance laid on the table, for the reason that the business agent of the Boston Central Labor Union, before a committee of which I am a member, said there were between 60,000 and 70,000 people unemployed in our city. Many of those people were men who were married, with families, and they were going throughout the streets of this city looking for an opportunity to get work at almost any wages. I had a man in here this morning who is working at the hospital for \$2 a day, the father of a family; and here was a situation where a man was getting \$115 a week and we were being asked to increase his salary to \$144 per week. It seemed to me as if it was a mockery, with the present conditions of unemployment, with cases coming to our attention right along of people literally starving in the homes of our city; with his Honor the Mayor of our city getting \$400 a week. As I say, regarding conditions as they are confronting us at this time, to me it seemed a mockery. Let me say personally that I recognize Mr. Rourke as a man of as high standing as any man in this city, a man who is a master mind in engineering, and I consider it personally very unfortunate after the friendship I have had with him for thirteen years and after having had some of my closest friends, politically and personally, come to me and ask me to go through on this ordinance, to feel that I have to stand on the floor here and take the position I do at this time. But, Mr. President, it is not a question of friend or foe here today. It is a question of facing in this city conditions the like of which we have not seen for years. It is a question of men and women walking our streets asking an opportunity to work at anything so that they may provide food for their families. The Department of Public Welfare, down below us here, have more on their roll than ever before. Hon. Joseph H. O'Neil, former president of the Federal Trust Company, told me the other day that never in his life has he seen so many people on the list of a charitable organization of which he is a representative as today. And, therefore, Mr. President, I say it is mockery for this ordinance to



be introduced at this time, asking that the salary of a man who now receives \$115 a week from the city treasury should be increased to \$144 a week. When the commissioner took this position he knew that the salary was \$6,000, and I understand from some of the members here that he was promised more. Who, in this Council or outside, had the right to give him the idea that he would get more? Nobody had a right to promise my vote or the vote of any other member here; and I say that we have no right to vote for this proposed increase at the present time, in the face of the wave of unemployment that we are experiencing in this city, with over 18,000 city employees who are getting under \$3,000 a year unable to get a raise, and with 60,000 to 70,000 of our people in this city walking the streets and glad to get a job that will give them \$25 a week.

Coun. DOWLING—Mr. President, as chairman of the committee that has reported this proposed ordinance I ought to say that the committee heard from no one in opposition to it, in spite of the fact that it was discussed in the committee and that there was an opportunity afforded to anybody who wished to be heard. The committee favored this with the idea of giving to the Building Commissioner a salary commensurate with the responsibilities of his office. I, like Coun. McGrath, have been a close personal friend of the Building Commissioner for many years. I remember when he came into the service of the city, with recommendations such as no other department head ever brought. I have followed Mr. Rourke's career, as have other members of the Council, with much interest and admiration. He is a competent and efficient man, equal to the responsibilities imposed upon him and well qualified in every particular. I would like to ask Coun. McGrath if he feels that he can justify the speech he has just made without offering an ordinance to reduce the salaries of the other corresponding heads of departments, so that they may be placed on a comparable basis with Mr. Rourke?

Coun. McGRATH—Mr. President, I have never in my life, throughout my experience in politics, introduced an order to reduce any man's salary; but I will at a time like this fight any increase of \$1,500 per year to a man already receiving \$6,000 per year, while we are awaiting a budget which will deeply concern a very large number of other employees of the city who are probably to be denied any substantial increase in their salaries. No, Mr. President, I will never ask to reduce any man's salary, but I will ask for the increase of the salaries of 18,000 people who are getting less than \$3,000 a year before I vote for an increase of \$1,500 in the salary of a man who is getting \$6,000 a year.

Coun. ARNOLD—Mr. President, I believe a man in this position is worth the amount of salary that has been asked for by this proposed change in the ordinance. The people of the City of Boston may have short memories but, sir, they are not so short but what they must remember some of the disasters that have overtaken us in the carrying on of the functions of this department in the past—not that I would stand here and say that the Building Commissioner who was in the position at the time of a particular disaster we have in mind was wholly responsible for it; but I believe we should see to it that we maintain in the office of Building Commissioner a man to whom we can look with confidence for the safety of the citizens of our city, so far as the work of the department is concerned. I believe the safety of our citizens is just as important a function as any over which we have any supervision. I trust, sir, that this ordinance will pass.

Coun. WILSON—Mr. President, I certainly have no quarrel with Mr. Rourke, whom we all consider a very efficient and able gentleman. In fact, no less a personage than ex-Mayor Fitzgerald brought Mr. Rourke to our city some years ago at a salary of \$10,000 a year. On the other hand, however, I would much rather see a budget come in here from the Mayor properly providing for many of the employees of our city who are receiving small amounts, in line with Coun. McGrath's remarks, men receiving perhaps, \$1,400 to \$1,600 a year, than to see the salary now in question raised as proposed. I am not opposed to Mr. Rourke. I think he deserves the money, that he is worth it, but I do believe this is a most inopportune time to put this particular ordinance through.

Coun. GUILD—Mr. President, I am frequently

impressed with the eloquence of Coun. McGrath in debate, but I am not today impressed with the logic which seems to appeal to both him and Coun. Wilson in this matter. They stand up here and tell us that Mr. Rourke is the highest type of man, a master mind in engineering matters. Then they jump from that and tell us about the great wave of unemployment in the city and the thousands who are out of work. They tell us, further, that there are 18,000 city employees getting less than \$3,000 a year, and because of that they then wish us to draw the inference that by refusing to give Mr. Rourke this increase of salary—which they tell us that this highest type of man and master mind in engineering problems is entitled to—we will be enabled to alleviate unemployment conditions in this city and to raise the pay of other city employees. Does anyone here think there is the slightest chance, by defeating this ordinance, to do anything in the way of raising the pay of the 18,000 city employees who are getting less than \$3,000 a year? I cannot see any connection at all between the two propositions. The \$1,500 which is asked for here as an increase in Mr. Rourke's salary certainly cannot—and it cannot be claimed here by either Coun. McGrath or Coun. Wilson that it will—alleviate the unemployment situation, and there is no indication or intention of it being used in that way. Neither can Coun. McGrath or Coun. Wilson spread that \$1,500 among the 18,000 municipal employees who are getting less than \$3,000 a year. Being so, I can see no connection at all between this ordinance, which the Committee on Ordinances has reported favorably,—and, incidentally, none of those now objecting to the proposed ordinance took the trouble to appear at any session of the committee when it was considering this matter,—and the other conditions that have been referred to here today. It seems to me, therefore, this being an entirely different and separate matter, that the ordinance as reported by the committee ought to pass.

Coun. KEENE—Mr. President, for the information of the Council I would say that, as I understand the situation, this ordinance was not introduced so much to increase the salary of any department head as it was to equalize the pay of the heads of the various departments. The fact is, and it has been recognized for some time, that the head of this department as compared with the heads of other departments is underpaid. The chairman of the Board of Assessors gets \$7,000, the Collector \$7,500, the Fire Commissioner \$7,500, the Police Commissioner \$5,000, the Health Commissioner \$7,500, the Institutions Department Commissioner \$7,500, the head of the Park Department \$7,000, the Public Works Commissioner \$9,000, and the head of the Law Department \$3,000. So the head of this department is practically the lowest paid head of any department of this size and importance in the entire city. I think the purpose has been simply to equalize these salaries, to put the salary of the head of this department on the same basis as the others. No other salaries of department heads have been increased, but it is simply felt that the head of this department, as a department of importance, should be put in a class corresponding with the other department heads, so far as salary is concerned.

Coun. WILSON—Mr. President, with reference to the logic of the gentleman from Jamaica Plain and outlying sections in the general direction of Jamaica Pond, who has gone somewhat into the question of arithmetic on this matter, it does appear to me that, if the City of Boston can afford any salary increases, instead of giving one increase amounting to \$1,500 to one man, it might be well to raise to the extent of \$100 fifteen employees now perhaps getting but \$1,400 or \$1,500 a year. While it would not put them in a condition to get expensive houses, with garages and automobiles, it would at least alleviate their condition. So it seems to me that Coun. McGrath was not only eloquent but logical in making the suggestion that if the City of Boston can afford to start at the top and increase salaries there in a large amount, we had best look over the budget situation first and see whether the city can afford to pay a somewhat additional amount to some of the lower priced employees, perhaps giving them a lift of \$100. (Applause in the galleries.)

President HEFFERNAN—The applause in the galleries must cease.

Coun. McGRATH—Mr. President, I want to say just a word in closing, something not having anything to do with this particular bill, but which I think may well be considered, in view of what has been said here today. I recently saw this in the paper:

"Fuller Sees Plot in School Bill. Would not give committee right to fix salaries. Governor Fuller aimed a blow at what he thought to be a move toward involving the Boston School Committee in partisan politics, by returning to the General Court the Schoolhouse Commissioner salary bill, with suggestions for certain changes."

That is, he vetoed a bill providing that the salaries of the commissioners of the Schoolhouse Department "shall be fixed by the School Committee with the approval of the Mayor." His suggestion to the Legislature was that it strike out the words "School Committee with the approval of," and insert after the word "Mayor" the words "and Council." The Governor believed that this was a matter which should go to the City Council for their approval, as clearly the representatives of the city. We are only applied to when it is necessary to apply to us, and when that is the case I believe in considering a matter very carefully before I act upon it.

The report was accepted, and the ordinance was declared not passed. Coun. Parkman doubted the vote and asked for a rising vote.

On motion of Coun. DOWLING, it was voted that a roll call be had.

The ordinance was passed upon a roll call, yeas 13, nays 7:

Yeas—Coun. Arnold, Donovan, Dowling, Englert, Fitzgerald, Freeley, Gilbody, Green, Guild, Heffernan, Keene, Parkman, Wragg—13.

Nays—Coun. Dowd, Lynch, Mahoney, McGrath, McMahon, Ruby, Wilson—7.

#### APPROPRIATION FOR MUNICIPAL BUILDING, WARD 11.

On motion of Coun. ENGLERT, the Council voted to take up, under unfinished business, No. 2 on the calendar, viz.:

2. Ordered, That the sum of five hundred thousand dollars be appropriated, to be expended by the Superintendent of Public Buildings for a municipal building in Ward 11, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, bonds or certificates of indebtedness to the said amount.

On March 14, 1927, the foregoing order was read once and passed, yeas 20, nays 2.

The order was given its second reading and final passage, yeas 18, nays, Coun. Dowling, Parkman—2.

#### ROPING OF STREETS FOR MARATHON RACE.

Coun. ARNOLD offered the following:

That the City Messenger be authorized to rope off such streets as may be necessary, as in former years, in connection with the marathon race, to be held on April 19, 1927, under the auspices of the Boston Athletic Association, the expense attending the same to be charged to the appropriation for City Council, Flags, Ropes and Stakes.

Passed under suspension of the rule.

#### RELIEF OF TRAFFIC CONDITIONS, CHARLESTOWN.

Coun. GREEN offered the following:

Ordered, That the City Planning Board be requested, through his Honor the Mayor, to make a study and report to the City Council as to the advisability of widening streets in the vicinity of Rutherford avenue and Chapman street, and in the vicinity of Austin and Main streets, Charlestown, with a view to relieving traffic conditions.

Passed under suspension of the rule.

#### CLEARING OF SPACE ADJACENT TO CITY HALL.

Coun. DONOVAN offered the following:

Ordered, That his Honor the Mayor request the Police Commissioner, the Board of Street Commissioners, and the Superintendent of Public Buildings, to co-operate in taking action to clear the area adjacent to City Hall of automobiles in order that the citizens of Boston may have ready access for the transaction of municipal business.

Passed under suspension of the rule.

#### USE OF WEST NEWTON STREET.

Coun. DOWLING offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to submit to the City Council, at its earliest convenience, a copy of all communications and other papers of record relating to the use of any part of West Newton street by private individuals for parking purposes.

Coun. DOWLING—Mr. President, my attention has been called to a condition of affairs in the vicinity of Mechanics Building, and I, myself, have personally experienced it, that I think presents an outrageous situation. West Newton street, from the extreme end toward Harrison avenue to the tracks of the New York Central Railroad, is a public way. What might be called the dead end of the street is in close proximity to Mechanics Hall. There is room there for the parking of about fifty or sixty cars. Some time ago, I am told on responsible authority, a letter was written by a member of the Board of Street Commissioners, who is not at present a member of that board, which delegated to a private individual the right to go into the dead end of West Newton street and collect parking fees for automobiles that might be parked there—and I offer this as a serious part of my statement—there is also a public garage there, and I assume that the man who owns the garage pays his rent, his taxes and his help, and his greatest competitor is a man somewhat friendly with this administration who has the right to charge citizens for parking cars there in the open street directly in front of the garage man's premises. I don't know the man who owns the garage, I do not know the favorite son who has the authority of the Street Commission or of the Mayor's office in this matter. But apparently such authority or such a permit has been given to him. I don't know his name, but I am told that he is a former representative, a Democratic representative of the city, who has been extremely friendly with the Mayor's office during the past year and who has got round shouldered with the favors that he has obtained from that office. I understand that he has been given the right to go into West Newton street there and collect 50 cents for the privilege of parking a car there. In common with 100,000 other impoverished American citizens, I attended the auto show a few weeks ago, looking at cars I could not afford to buy. There were fifty cars in that area I have referred to, and there was a uniformed policeman at the junction of the area who was apparently working in cahoots with the fellow who has this unholy right to use the public way. There was still apparently room for me to drive my flivver into the area, and I said to the officer, "Is there some chance of my parking there?" He said, "It looks pretty full to me." Well, it looked to me as though there was still room for four or five more cars there, and I said to him, "It doesn't look very full to me, and I would like to park my car there, as I want to go to the show." He repeated, "It looks pretty full to me," and then I blossomed out with all the pride that I could muster, threw back my shoulders and said I was a member of the City Council. I thought that might make a little difference, but the only difference was that the officer turned his head around so that I couldn't see his number, held his head off this way and answered this way, so that I could not see his number. Mr. President, I am perfectly satisfied that some fellow who has no right to use the public highway there is parking cars there and collecting money for doing so, because when I spoke to three who seemed to be on duty in this improvised parking space, one of them objected to my coming in. Well, I said that I was a disreputable member of the City Council and that I probably should have as much right as any one. He said, "We charge for parking here."



I said, "Who do you charge?" "We charge the people who park here." I said, "That is all right, charge it." (Laughter.) So I put my flivver in there, and as I left the place to go into the show with my wife, I said to this person or tenant that I was going to lock the door of the car. He said, "I hope you will not lock the car, but will leave it so that it can be moved. I can put in two or three others,"—although before it was pretty full. Of course, that would mean another dollar and a half to him. I said, "Well, I have a tire, a set of tools and a set of chains, that I don't want to lose." Well, he said he would look after that, and I will say that he did take pretty good care of it because the tire, the tools and the chains were there when I came back. But when I started to get out of the place again another attendant came to me for another charge of 50 cents for parking. Now, I want to know if the Mayor's office knows about it, or if the Street Commissioners have any authority to allow any one to use the public highways and collect for parking privileges in any such fashion. The same situation, I am told, exists at the dead end of Gainsborough street near the Arena. An officer is posted there, and apparently one of his jobs is to see that the tenants of the public highways can collect 50 cents out of people who are suckers enough to give it to them. I hope the order will pass.

Coun. ARNOLD—Mr. President, for fear that the Council may think that that part of Boston which I have the honor to represent is inhospitable, I must rise in answer to the distinguished councilor who has just taken his seat. I do not believe, sir, that the situation which he has pointed out in such detail is particularly unusual. There is an endeavor on the part of this army of the unemployed, of which we have heard, and with whom we all sympathize, to get a little change out of the customers of the Automobile Show, and the streets in that vicinity have been flooded with individuals who have been very courteous and very helpful in finding places to park cars. My house is exactly opposite Mechanics Building, and, on account of the fact that Mechanics Building has so many such functions during the year, I have never obtained the privilege which I might have had and had that particular area in front of my place designated as a restricted area. I am glad, as far as they can be accommodated, to have the cars coming from anywhere at any time park in that vicinity. We are proud in that district of the attractions which we have, and we do everything in our power to make those who come there welcome. The particular area which has been referred to is, as I understand it, private property, and if somebody has been given the privilege of collecting a fee it is unusual, to say the least. Gratuities undoubtedly are given, however, to many persons who are about that area during the time of these large expositions. I am sorry that the councilor has been thus treated in my district, and I am going to invite him the next time he comes down to any show to park in front of No. 92 Huntington avenue, and I will see that everything he brings, and even more, will go back with him!

Coun. DOWLING—Mr. President, I have enjoyed the hospitality of the councilor from that district, and I can vouch for the cordiality with which you are received at his office there—not his house. But the fact remains that a charge is being made there in the use of the public streets notwithstanding what the councilor has said, and I will repeat, if I did not make it clear in my previous remarks, that one man apparently in charge at that dead end street told me that he received his permit to use the street from the Street Commissioners' office. As I understand it there is no such place from which fees are collected for the parking of cars except the dead end of West Newton street and the dead end of Gainsborough street.

The order was passed under a suspension of the rule.

#### NAMES OF THREE COUNCILORS.

Coun. DOWD—Mr. President, may I ask the status of the order which I offered and which was referred to the Executive Committee at the present time?

President HEFFERNAN—The Chair will rule

that it remains in the Executive Committee. As I understand it, there was a vote on the question of reporting the order back, and it was defeated, and there was no further motion made. The Executive Committee adjourned without any further vote being taken.

Coun. DOWD—I believe it was referred to the Executive Committee by a vote of 10 to 9, and it still lies in the Executive Committee?

President HEFFERNAN—Yes. It is still necessary to have a vote of some kind in the committee in order to report it back.

Coun. DOWD—Mr. President, I now move that the matter be taken from the Executive Committee and acted upon in this Council Chamber.

President HEFFERNAN—The Chair would rule that that requires a two thirds vote as it amounts to a suspension of the rule.

Coun. DOWD—Mr. President, I simply want to say a word at this time. It seems that every time that the Mayor of Boston has taken a slap at the twenty-two members of the Council they have accepted it very meekly, just like lambs. A week ago the Mayor sent notice to the majority of us that we couldn't name the appointments in the assessors' office we had the privilege of appointing last year. That privilege was taken away from us because we wouldn't curry favor with and vote for the orders presented by the Mayor of Boston. I cannot understand how any councilor can really justify his vote against this order presented by myself. If the Mayor of Boston really feels that three members of the City Council are treading on dangerous ground, it is his duty to tell the public who they are so that they may be defeated at the next election. I know, of course, that the Mayor does not desire me to be in the Council next year, but I only hope that he will come to the South End and various parts of Roxbury and campaign against me. If he does, there will be no contest whatsoever in the district. In closing, let me say that when the Mayor speaks of three who are treading on dangerous ground, I don't think he really means three members of the Boston City Council, but he is really referring to three who have more power than we have, although they were not elected by the people. The three I refer to, who are running the City of Boston, are Ernie, Charlie and Bobbie. I ask for a roll call on my motion.

Coun. DOWD'S motion to take the order referred to from the Executive Committee was lost, yeas 10, nays 10:

Yeas—Coun. Dowd, Dowling, Freeley, Cilbody, Heffernan, Lynch, Mahoney, McCrath, McMahon, Wilson—10.

Nays—Coun. Arnold, Donovan, Englert, Fitzgerald, Green, Guild, Keene, Parkman, Ruby, Wragg—10.

President HEFFERNAN—The motion not having received the necessary two thirds vote is lost.

Coun. DOWD offered the following: Ordered, That his Honor the Mayor be requested to furnish the Council at the next meeting with the names of the three councilors whom he has threatened to name as treading on dangerous ground.

Coun. GUILD—Mr. President, I rise to a point of order. An order in identical terms is pending having been referred to the Executive Committee.

President HEFFERNAN—The Chair will have to rule the point of order well taken. There is a similar order in Executive Committee at the present time.

Coun. DOWD—Mr. President, the order as originally presented by me is the same as this order. But that order which I offered, and which went into the Executive Committee, was there amended, and the order as it lies in the Executive Committee is not the same order that I now present.

President HEFFERNAN—The Chair will rule that the vote in the Executive Committee, as he recalls it, was on the question of substitution of an order, which did not prevail. The order as it stands in the Executive Committee was in the very same form when it left the chamber as this order and the Chair will rule the point of order well taken.



## THE NEXT MEETING.

Coun. FITZGERALD—Mr. President, I move that when the Council adjourn it be to meet two weeks from today at 2 p. m.

Coun. KEENE—Mr. President, might I suggest to Coun. Fitzgerald the probability or possibility of the budget being put in here next week?

Coun. FITZGERALD—Mr. President, I withdraw the motion.

## GENERAL RECONSIDERATION REFUSED.

On motion of Coun. KEENE, the Council refused a general reconsideration of all action taken today.

Adjourned, on motion of Coun. FREELEY, at 4.10 p. m., to meet on Monday, April 4, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, April 4, 1927.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President HEFFERNAN in the chair. Absent, Coun. Bush and McMahon.

Coun. WARD in the chair.

## JURORS DRAWN.

Jurors were drawn in the manner prescribed by law, the Mayor absent, as follows:

Forty traverse jurors, Superior Criminal Court, First Session, to appear May 2, 1927:

Edward T. Carolan, Ward 1; Dennis A. Gill, Ward 1; John A. Rose, Ward 1; Jeremiah J. Buckley, Ward 2; Stephen I. Hurley, Ward 2; Frank C. Foley, Ward 3; Francis W. Sullivan, Ward 3; Harry C. Briggs, Ward 4; Arthur A. Cottrell, Ward 5; James J. Conley, Ward 6; James H. Donovan, Ward 6; Adolph Jacobson, Ward 6; James L. Murray, Ward 6; Michael J. Donelan, Ward 7; Francis P. Murray, Ward 7; James Kilduff, Ward 8; James J. Downey, Ward 10; Otto Koenig, Ward 10; Roy D. Areson, Ward 12; Rufus P. Browne, Ward 12; Sidney L. Curry, Ward 12; Lewis E. Morton, Ward 12; Lewis Barker, Ward 14; Moses I. Bangel, Ward 14; John H. Hebb, Ward 14; John M. Tuttle, Jr., Ward 14; Joseph J. Anderson, Ward 16; William J. Creighton, Ward 16; William J. Hickey, Ward 16; Frank A. Mitchell, Ward 16; Charles E. Ainsley, Ward 17; William H. Driscoll, Ward 17; Walter T. Holmes, Ward 17; Harry D. Hunter, Ward 17; James McNaught, Ward 18; John F. Moyle, Ward 18; Eugene Schwender, Ward 18; William M. Thomas, Ward 18; Ernest F. Speth, Ward 20; A. Gordon McGurk, Ward 22.

Fifteen traverse jurors, Superior Criminal Court, Second Session, to appear May 2, 1927:

Edward John Anthony, Ward 1; Robert W. Swett, Ward 1; Michael J. Brennan, Ward 2; John M. Strock, Ward 3; Edward M. Fitzpatrick, Ward 4; Patrick J. Seanlan, Jr., Ward 7; Thomas J. Griffin, Ward 8; Thomas F. Manning, Ward 10; John M. Sullivan, Ward 11; John J. Piotti, Ward 13; Robert H. Hancock, Ward 14; Luke F. Mitchell, Ward 14; John T. Somers, Ward 15; Albert W. Bergman, Ward 16; Mark L. Floyd, Ward 22.

Forty traverse jurors, Superior Criminal Court, Third Session, to appear May 9, 1927:

Patrick J. Brown, Ward 1; Andrew J. Crotty, Ward 1; Edward G. Hennessey, Ward 1; Daniel F. Sullivan, Ward 1; Michael McLaughlin, Ward 2; John E. McLean, Ward 2; Julius Bornstein, Ward 3; John J. Hallahan, Ward 3; Patrick F. O'Keefe, Ward 3; Charles Reznick, Ward 3; Willis L. Fish, Ward 4; Ulrik A. Olsen, Ward 4; Albert M. Eaton, Ward 5; John H. Evans, Ward 5; Francis Phillips, Ward 5; Fred W. Horgan, Ward 6; Clarence L. Lewis, Ward 6; Coleman Lydon, Ward 6; Walter H. O'Connell, Ward 6; Timothy Quinn, Ward 6; Albert T. Supple, Ward 6; Thomas M. Walsh, Ward 6; William T. Stuffle, Ward 8; Joseph W. Canney, Ward 10; George H. Hilt, Ward 12; James F. McNamara, Ward 12; Erikos Hagopian, Ward 14; Moses R. Hodgkins, Ward 14; Daniel J. Lucy, Ward 14; Charles Engels, Ward 15; James H. Irwin, Ward 15; Charles E. Wyman, Ward 17; Thomas E. Horsefield, Ward 18; George J. Chambers, Ward 19; Robert Collins, Ward 19; Raymond S. Loviett, Ward 19; Philip C. Imhescheid, Ward 20; Joseph F. Zimmermann, Ward 20; Justin A. McCarthy, Ward 21; Frank R. McLaughlin, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, First Session, April Sitting, to appear May 2, 1927:

Thomas A. Eagan, Ward 1; William C. Melanson, Ward 1; Edwin S. Miller, Ward 1; William

A. Riley, Ward 1; John J. Carroll, Ward 2; William H. Keniston, Jr., Ward 2; Charles Klarfeld, Ward 3; Joseph Fox, Ward 5; John A. Lynch, Ward 5; Charles F. Morse, Ward 5; William J. Condon, Ward 6; William F. Tohin, Ward 6; Peter Johnson, Ward 8; James H. Lucas, Ward 8; William F. Reilly, Ward 8; Frank W. Kane, Ward 9; John T. Clancy, Ward 11; John H. Murphy, Ward 12; John J. Quinn, Ward 13; Samuel M. King, Ward 14; Robert Landers, Ward 15; John A. McNamara, Jr., Ward 15; John J. Miller, Ward 15; Frederick E. Ziegler, Ward 19; Berton C. Cummings, Ward 20; Harry S. Watson, Ward 20; Fred F. Harris, Ward 21; Thomas F. Imrie, Ward 21.

Twenty-nine traverse jurors, Superior Civil Court, Second Session, April Sitting, to appear May 2, 1927:

James A. Sullivan, Ward 1; Warren A. Toohig, Ward 1; Charles J. Burnett, Ward 2; James P. Harrington, Ward 2; Edward A. Rose, Ward 2; Fred Elden Warren, Ward 3; Fred W. Wells, Ward 3; Norman Holland, Ward 5; William P. Homans, Ward 5; John Hopkins, Ward 5; Michael P. Fahey, Ward 6; Eugene F. Sullivan, Ward 6; James A. Reidy, Ward 8; John L. Thomas, Ward 8; Herman F. Whitcomb, Ward 8; Patrick J. Smith, Ward 9; David W. Bridges, Ward 11; Harold A. Myers, Ward 12; James J. Day, Ward 15; John J. Crowne, Ward 16; Thomas F. Dillon, Ward 16; Richard Mahoney, Ward 16; Theodore Clarke, Ward 18; Joseph B. Corey, Ward 18; John T. Hart, Ward 18; John L. Kivian, Ward 20; Charles F. Brown, Ward 22; Clarence J. Morrissey, Ward 22; Charles C. Wright, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Third Session, April Sitting, to appear May 2, 1927:

James H. O'Brien, Ward 1; Herman D. Sanders, Ward 1; Abram Freidman, Ward 3; John R., Langone, Ward 3; Charles J. Leary, Ward 3; James P. McElligott, Ward 3; Chester R. Sawyer, Ward 4; J. Brooks Fenno, Jr., Ward 5; Patrick J. Nee, Ward 6; John B. Murray, Ward 7; Wilhelm G. Preuss, Ward 10; Andrew Carey, Ward 11; Harry Kudisch, Ward 12; Timothy F. White, Ward 13; Matthew J. Gately, Ward 14; George W. Kilduff, Ward 14; John F. Leary, Ward 14; Carl O. Ranc, Ward 14; Bernard H. Winer, Ward 14; Robert J. McEwen, Ward 15; John F. O'Keefe, Ward 15; Clifford R. Tripp, Ward 17; James E. Innes, Ward 18; T. Francis Manning, Ward 18; Albert F. Marsters, Ward 18; James F. Mohan, Ward 18; William H. Muldoon, Ward 19; George B. Wood, Ward 20.

Twenty-five traverse jurors, Superior Civil Court, Fourth Session, April Sitting, to appear May 2, 1927:

John J. O'Brien, Ward 1; William A. Barlow, Ward 3; James J. Healey, Ward 3; John J. Lynch, Jr., Ward 3; William Moschelle, Ward 3; Frank W. Taft, Ward 3; Henry C. Nichols, Ward 5; Timothy J. Whouley, Ward 6; Michael J. Manning, Ward 7; William J. Elder, Ward 8; Eugene M. Lawrence, Ward 8; John J. Buckley, Ward 9; John J. Davis, Ward 10; Elliot F. Jaquith, Ward 12; Gustaf N. Anderson, Ward 13; Thomas F. Hurley, Ward 13; William Axe, Ward 14; Abraham Papp, Ward 14; Frank LeB Read, Ward 17; J. Frederick Hennings, Ward 18; John W. Foss, Ward 19; Joseph B. Kavanaugh, Ward 19; John M. McCloskey, Ward 21; Edward J. Murphy, Ward 21; Nathaniel E. Allen, Ward 22.

Twenty-seven traverse jurors, Superior Civil Court, Fifth Session, April Sitting, to appear May 2, 1927:

Valentine Graf, Ward 1; Henry J. Carroll, Ward 2; John J. Donahue, Ward 2; John S. Colbert, Ward 3; Stavre C. Panis, Ward 5; George F. Donovan, Ward 6; James McGrath, Ward 6; Herbert L. Rowe, Ward 9; William H. Narney, Ward 10; Albert J. O'Keefe, Ward 10; John H. McLaughlin, Ward 10; Lionel Harvey, Ward 14; Joel C. Knapp, Ward 14; Frederick H. Wetherald, Ward 14; John F. Lyons, Ward 15; Michael J. Quirk, Ward 15; Frank E. Chute, Ward 16; Maurice J. Glavin, Ward 16; Joseph P. Murray, Ward 16; Frederick Wright, Ward 16; William H. Wise, Ward 17; Robert N. McLellan, Ward 18; James M. O'Donnell, Jr., Ward 18; George C. Lemmler, Ward 20; Charles P. Raymond, Ward 20; James R. Watson, Ward 20; George R. Angus, Ward 21.



Twenty-seven traverse jurors, Superior Civil Court, Sixth Session, April Sitting, to appear May 2, 1927:

Henry J. Grant, Ward 1; John F. Ohlson, Ward 1; George T. Scott, Ward 1; Edward A. Walden, Ward 2; George F. Bacon, Ward 3; Charles E. Byrons, Ward 4; Louis Altman, Ward 5; Alfred J. Williams, Jr., Ward 5; Albert T. Hennessey, Ward 7; John T. Beckett, Ward 9; John J. Burns, Ward 9; Patrick McGowan, Ward 10; James J. Flynn, Ward 11; James W. Lalley, Jr., Ward 13; John M. Smith, Ward 13; Thomas C. Burke, Ward 14; William N. Greene, Ward 14; Harold P. Aldrich, Ward 15; Maurice H. Maney, Ward 16; Andrew F. Tolland, Ward 18; Robert E. Peabody, Ward 19; William E. Winchester, Ward 19; William S. O'Connor, Ward 20; John F. McElhenny, Jr., Ward 22; William A. McNamara, Ward 22; James E. Waters, Ward 22; Frederick G. Lind, Ward 22.

Twenty-six traverse jurors, Superior Civil Court, Seventh Session, April Sitting, to appear May 2, 1927:

Michael J. Quilty, Ward 1; Frederick W. Sweeney, Ward 1; Denis Lowney, Ward 2; Joseph D. MacDonald, Ward 2; George F. Kelly, Ward 3; John C. McKeown, Ward 3; Walter G. Hall, Ward 4; George I. Sliney, Ward 7; Francis A. Williams, Ward 9; Frank Sauer, Ward 10; Thomas N. Larsen, Ward 14; James H. Mann, Ward 14; Otis M. Cutler, Ward 15; George E. Hunt, Ward 15; William H. Ryan, Ward 15; Michael Stanton, Ward 15; Joseph Benaglia, Ward 17; John W. Haigh, Ward 18; Floyd William Trenholm, Ward 18; Ernest L. Weber, Ward 18; Louis F. Weider, Ward 18; Earle W. Cook, Ward 19; William J. Johnson, Ward 19; Patrick H. Prindeville, Ward 19; James E. McClintock, Ward 20; Louis A. Fleishman, Ward 21.

Coun. MAHONEY in the chair.

#### VETO OF LOANS FOR MUNICIPAL BUILDINGS.

The following was received:

City of Boston,  
Office of the Mayor, April 2, 1927.

To the City Council.

Gentlemen,—I return herewith, without my approval, the following orders:

1. That the sum of \$500,000 be appropriated for a municipal building in Ward 14.
2. That the sum of \$500,000 be appropriated for a municipal building in Ward 11.

I regret that the financial situation of the city is such that the construction of municipal buildings cannot be considered at this time.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

#### SOAP FACTORY, CHARLESTOWN.

The following was received:

City of Boston,  
Office of the Mayor, April 2, 1927.

To the City Council.

Gentlemen,—I transmit herewith communications from the Fire and Building Departments in reply to your orders of December 31, 1926, in relation to soap factory at corner of Charles street, Charles Street place and Schoolhouse court, Charlestown.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Fire Department, February 15, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council on December 31, 1926: "Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to have the Fire Prevention Bureau examine the building used as a soap factory at the corner of Charles street, Charles Street place and Schoolhouse court, Charlestown, for the purpose of determining whether or not it constitutes a fire hazard."

In reply thereto I would say that this building

has been inspected by the Fire Department, and I am attaching hereto copies of the report of the Fire Prevention Division.

In regard to the recommendations made by the inspector, I would say that the Fire Commissioner has no authority to order them remedied.

Yours very truly,

E. C. HULTMAN,  
Fire Commissioner.

City of Boston,

Fire Department, January 14, 1927.

From Fire Prevention Division.

To The Fire Commissioner.

Subject: Building Inspection.

I submit the following report of the Rand & Byam, Inc., Soap Factory, located at the corner of Charles street and Charles Street place, Charlestown.

The building is 2-2½-3 stories, wood. Section A, three stories, size 52 by 22 feet; Section B, two stories, size 87 by 36 feet; Section C, two stories, size 55 by 22 feet; Section D, 21 stories, size 40 by 16 feet.

The building is structurally strong and has three stairways, and in addition one stairway to basement.

The fact that this building has unprotected openings on all floors, and has floors soaked in grease, creates a serious condition in case of fire.

In my opinion the fire appliances are insufficient, and I would recommend that sprinklers be installed. Also, since there is but one exit from the basement, and that to the first floor, and since the cellar windows are too small to allow entrance to, or exit from, the cellar, I would recommend that a bulkhead entrance be built from the yard to the basement.

Respectfully submitted,

MICHAEL NORTON, Captain.

City of Boston,

Building Department, March 21, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—With reference to the attached orders of the City Council regarding the building at the corner of Charles street, Charles Street place and Schoolhouse court, Charlestown, used as a soap factory, our inspector reports that the building is structurally safe and has three means of exit from the second and third floors where no more than five men are working at any one time.

There is, however, but one exit from the cellar, and the department has ordered an additional one installed.

As regards the sprinklering of this building, the cost of a sprinkler installation would amount approximately to the full assessed value of the property, and I do not believe the department has the authority to order such an expense.

Respectfully yours,

L. K. ROURKE,  
Building Commissioner.

Placed on file.

#### SHOWER BATHS, FRANKLIN FIELD.

The following was received:

City of Boston,  
Office of the Mayor, April 2, 1927.

To the City Council.

Gentlemen,—I transmit herewith communication from the Park Commissioner in reply to your order of March 21, 1927, in relation to keeping the shower baths at Franklin Field open all the year round for the convenience of the people of the district.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, March 29, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of March 28, with inclosure, order from the City Council, requesting that the Board of Park Commissioners be instructed to keep the shower baths at Franklin Field open all the year round for the convenience of the people of the district.

In reply I desire to say that the locker building at Franklin Field was never intended to be used for bathing purposes,—the showers were installed for the convenience of the athletes using the field during the summer months.

Franklin Field has the second largest skating area under the control of the park system. During the skating season it would be impossible to keep these showers open owing to the fact that 200 to 300 persons check their clothes in this room where the shower hats are situated.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Placed on file.

#### REPAVING OF SOUTH BOSTON STREETS.

The following was received:

City of Boston,

Office of the Mayor, April 2, 1927.

To the City Council.

Gentlemen,—I transmit herewith communication from the Public Works Commissioner in reply to your order of March 14, 1927, in relation to repaving West Third street, from B to Dorchester streets, and E street, from West First street to Fourth street, South Boston, with smooth pavement.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department, March 29, 1927.

To the Honorable the Mayor.

I return order of the City Council, requesting the Commissioner of Public Works to repave West Third street and E street, South Boston.

West Third street, from B street to Dorchester street, is at present a macadam roadway 3,000 feet long and 34 feet wide. To substitute a smooth pavement would cost approximately \$75,000.

The estimated cost of similarly treating E street, from West First street to Fourth street, is \$20,000, making a total of \$95,000 for the two streets.

Yours respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

President HEFFERNAN in the chair.

#### MOTOR VEHICLE STORAGE.

The following was received:

City of Boston,

Office of the Mayor, April 2, 1927.

To the City Council.

Gentlemen,—I transmit herewith communication from the Public Works Department in reply to your order of February 28, 1927, in relation to money paid each month for motor vehicle storage in garages not owned by the City of Boston.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department, March 28, 1927.

To the Honorable the Mayor.

I return order of the City Council, dated February 25, requesting the Commissioner of Public Works to submit to the City Council the amount of money now paid each month for motor vehicle storage in garages not owned by the City of Boston, and report that the amount for January and February, 1927, is about \$1,150 per month.

Yours respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### CITY YARDS, RUTHERFORD AVENUE.

The following was received:

City of Boston,

Office of the Mayor, April 2, 1927.

To the City Council.

Gentlemen,—I transmit herewith communication from the Public Works Commissioner relative to demolishing certain buildings at city yards on Rutherford avenue, Charlestown, and replacing same with fireproof buildings, as per your request of March 14, 1927.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department, March 29, 1927.  
To the Honorable the Mayor.

I return the order of the City Council, dated March 14, 1927, requesting the Commissioner of Public Works to take steps to demolish certain buildings at the city yards on Rutherford avenue, Charlestown, and report that the Rutherford avenue yard is the headquarters for the Paving, Sewer, Sanitary and Street Cleaning Services of the Charlestown district. The buildings and sheds are old and somewhat dilapidated, but still habitable. To replace them with a modern concrete structure would cost about \$80,000.

As there is no budget provision for this project, there is no immediate prospect of complying with the order than by way of a loan.

Yours respectfully,

J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### HALF-HOLIDAY FOR CLEANERS, CITY HOSPITAL.

The following was received:

City of Boston,

Office of the Mayor, April 4, 1927.

To the City Council.

Gentlemen,—I transmit herewith communication from the Boston City Hospital in reply to your order of March 7, 1927, in relation to establishing a half-holiday each week for women employed as cleaners at the Boston City Hospital.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Hospital Department, March 31, 1927.  
Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Mr. Mayor,—In reply to the order of the City Council "that the Trustees of the Boston City Hospital, through his Honor the Mayor, be requested to establish a half-holiday each week for women employed as cleaners at the Boston City Hospital," I would say, on behalf of the trustees, that if this one group of women were allowed a half-holiday, all the other employees in the hospital who do not now receive the same privilege would request the same, with equal right. This would require many thousand dollars if placed in effect, and inasmuch as the budget is now out of the hands of the trustees they do not deem it wise at this time to grant this request.

Yours respectfully,  
JOSEPH P. MANNING,  
President Board of Trustees.

Placed on file.

#### PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Mary Beaton, for compensation for injuries caused by an alleged defect at Washington and Court streets.

Ida Cohen, for compensation for injuries caused by an alleged defect at 639 Morton street.

Mary T. Doherty, for compensation for damage to coat by broken ash barrel.

Bella Kaplan, for refund on real estate tax bills.

John Maloney, for compensation for injuries caused by being struck by city truck.

Louis M. Marks, for compensation for damage to automobile caused by being struck by city truck.

Joseph Ranesi, for compensation for injuries caused by an alleged defect in Sumner street.

L. L. Schiller, for compensation for injuries caused by an alleged defect in Tremont street.

Clara Shykan, for compensation for injuries caused by an alleged defect at 96 Erie street, Dorchester.

Wilder A. Smith, for compensation for damage to property at 2 Fountain Hill, Roxbury, caused by ash truck.

Franklin H. Sumner, for compensation for damage to property at 6 Abbot street, Dorchester, caused by hacking up of sewage.

Andrew R. and Adolph Tonetta, for compensation for damage to property at 22 Holden street, Dorchester, caused by city truck.

Mary A. Vaughn, to be reimbursed for personal taxes paid by mistake.

W. A. Warren, for compensation for injuries caused by an alleged defect in Broadway and Tremont streets.

Anthony Avallone, for compensation for damage to automobile by city team.

Louise D. Gardner, to be reimbursed for use of land at Spring, Gardner and Baker streets, West Roxbury.

Mary A. E. Hurley, for compensation for injuries received in accident.

Lucas P. Kyrides, for compensation for damage to property at 28 Halleck street, Roxbury, caused by city truck.

Vincenzo Peppalardo, for compensation for damage to property at 83 Morris street, East Boston, caused by bursting of water pipe.

#### Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Olive Olson, American House, April 12.

Mary Campbell, Jordan Hall, May 4.

Lulu Philbrook, Repertory Hall, May 18.

#### CONSTABLES' BONDS.

The constables' bonds of Jefferson H. Parker and Julius Ansel, having been duly approved by the City Treasurer, were received and approved.

#### APPOINTMENT OF ASSESSOR.

Notice was received of the appointment by the Mayor of Edward T. Kelly, of 278 Arborway, Jamaica Plain, to position of Assessor.

Placed on file.

#### APPOINTMENT OF TRUSTEE, CITY HOSPITAL.

Notice was received of the appointment by the Mayor of Dr. Henry S. Rowen, 30 Bennett street, Brighton, to be a trustee of Boston City Hospital.

Placed on file.

#### CONFIRMATION OF APPOINTMENT OF NINA M. GEVALT.

Notice was received of the approval by the Commissioners of Civil Service of appointment of Nina M. Gevalt of 52 Park street, West Roxbury, as Election Commissioner.

Placed on file.

#### STORAGE AND SALE OF GASOLINE.

Notice was received from the Street Laying-Out Department of hearings to be given on petitions for storage and sale of gasoline on Monday, April 18, as follows:

Daniel J. Carroll, 495 Freepoint street, Ward 16, 2,000 gallons.

Emma J. Finnegan, 4 Savin Hill avenue, Ward 13, 2,000 gallons.

G. Hagopian, 198 Washington street, Ward 14, 1,000 gallons.

William Odlin, trustee (Northern Realty Trust), 94-104 Cambridge street, Ward 3, 3,000 gallons.

Max Kline, 110-136 Lamartine street, Ward 19, 20,000 gallons.

Luigi Ricci, 1750 Hyde Park avenue, Ward 18, 2,000 gallons.

John A. Sullivan, 48 Carver street, Ward 5, 1,000 gallons.

Ernest A. Thompson, 280 Dorchester avenue, Ward 6, 3,000 gallons.

Referred to the Executive Committee.

#### APPOINTMENT OF ASSISTANT ASSESSORS.

Notice was received from the Board of Assessors of appointments as follows:

First Assistant Assessors: John Graumann, 4 Cotton street, Roslindale; Matthew Peters, 746 Fourth street, South Boston; Weldon A. Duley,

25 Cumberland street, Boston; Henry I. Iazarus, 33 Commonwealth avenue, Boston; Charles L. Werner, 1540 Commonwealth avenue, Brighton.

Second Assistant Assessor: Cesare L. Paraboschi, 3825 Washington street, Jamaica Plain.

Placed on file.

#### STREET RAILWAY POLICE.

Notice was received of the appointment of street railway police on petition of Boston Elevated Railway.

Placed on file.

#### SUFFOLK COUNTY APPROPRIATION BILL.

Coun. PARKMAN for the Committee on Appropriations, submitted a report recommending the passage of the following:

#### COUNTY OF SUFFOLK APPROPRIATIONS AND TAX ORDERS FOR THE FINANCIAL YEAR 1927.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1927, for performing the duties and exercising the powers devolved by statute or ordinance, or by vote of the City Council during the year, upon the City of Boston or County of Suffolk, or the departments or officers thereof, and to meet their obligations for interest on debt, sinking fund requirements and maturing debt not provided for by sinking fund, the respective sums of money specified in the tables and schedules hereinafter set out be and the same are hereby appropriated for the several departments and for the objects and purposes hereinafter stated.

Ordered, That the appropriations hereinafter specified be met out of the money remaining in the treasury at the close of business on December 31, 1926, exclusive of the money raised by loan or needed to carry out the requirements of any statute, gift, trust or special appropriation, and by the income of the financial year beginning January 1, 1927, and taxes to the amount of \$3,464,763.48 and that said amount be raised by taxation on the polls and estates in the City of Boston.

Ordered, That all sums of money which form no part of the income of the city, but shall be paid for services rendered or work done by any department or division for any other department or division, or for any person or corporation other than the City of Boston, be paid into the general treasury, and that all contributions made to any appropriation be expended for the objects and purposes directed by the several contributors thereof.

Ordered, That all taxes raised to meet the appropriations of the city and county and all taxes assessed for meeting the city's proportion of the state tax for the year 1927, be due and payable on the fifteenth day of September, 1927; that interest shall be charged on all taxes remaining unpaid after the second day of October, 1927, in accordance with the provisions of chapter 59, section 57, of the General Laws, until paid, except the taxes assessed upon shares of national banks, which shall bear interest at the rate of 12 per cent per annum from the fifteenth day of September, 1927, until paid; and that all interest which shall have become due on taxes shall be added to and be part of such taxes.

Ordered, That except as the appropriation for any purpose or item shall be increased by additional appropriations or transfers lawfully made, no money shall be expended by any department for any of the purposes or items designated in the tables and schedules hereinafter set out in excess of the amount set down as appropriated for such specific purposes or item; and except as aforesaid, no salary or wages shall be paid in excess of the rate specified in said tables and schedules.

#### AMOUNTS ALLOWED FOR 1927.

|                                                       |              |
|-------------------------------------------------------|--------------|
| Suffolk County Courthouse                             |              |
| (Custodian).....                                      | \$169,147 31 |
| Suffolk County Courthouse                             |              |
| (County Buildings).....                               | 68,382 00    |
| County Buildings.....                                 | 98,441 13    |
| Jail.....                                             | 203,588 33   |
| Supreme Judicial Court.....                           | 66,646 92    |
| Superior Court, Civil Session (General Expenses)..... | 602,987 00   |
| Superior Court, Civil Session (Clerk's Office).....   | 153,820 63   |



|                                                    |                       |
|----------------------------------------------------|-----------------------|
| Superior Court, Criminal Session...                | \$518,790 00          |
| Probate Court.....                                 | 23,699 00             |
| Municipal Court.....                               | 373,222 00            |
| Municipal Court, Charlestown District.....         | 30,058 90             |
| East Boston District Court.....                    | 28,474 30             |
| Municipal Court, South Boston District.....        | 24,205 15             |
| Municipal Court, Dorchester District.....          | 26,446 50             |
| Municipal Court, Roxbury District.....             | 73,705 50             |
| Municipal Court, West Roxbury District.....        | 30,849 25             |
| Municipal Court, Brighton District.....            | 18,915 60             |
| Boston Juvenile Court.....                         | 27,951 50             |
| District Court of Chelsea.....                     | 25,346 70             |
| Registry of Deeds.....                             | 178,813 72            |
| Index Commissioners.....                           | 20,348 00             |
| Insanity Cases.....                                | 27,115 00             |
| Land Court.....                                    | 7,675 00              |
| Medical Examiner Service, Northern Division.....   | 23,866 66             |
| Medical Examiner Service, Southern Division.....   | 14,830 34             |
| Associate Medical Examiner, Northern Division..... | 1,893 00              |
| Associate Medical Examiner, Southern Division..... | 1,793 00              |
| Miscellaneous Expenses:                            |                       |
| Auditing Department.....                           | 930 00                |
| Collecting Department.....                         | 1,170 00              |
| Sheriff.....                                       | 3,200 00              |
| Treasury.....                                      | 5,300 00              |
| Granite Avenue Bridge.....                         | 3,903 54              |
| Social Law Library.....                            | 1,000 00              |
| Penal Institutions Department:                     |                       |
| Office Expenses.....                               | 29,771 33             |
| House of Correction.....                           | 402,164 18            |
| Steamer "Michael J. Perkins".....                  | 57,606 48             |
|                                                    | <b>\$3,346,057 98</b> |
| County Debt Requirements.....                      | <b>\$118,705 50</b>   |

The question came on the acceptance of the report and the adoption of the orders.

Coun. PARKMAN—Mr. President, In submitting this report of the work of the Committee on Appropriations in studying the budget estimates of the County of Suffolk for the year 1927, and with it the accompanying appropriation order the committee thinks it worth while to dispel once more the currently accepted illusion that the city officials and the Council have no power in passing upon the estimates and in making the appropriations, and that consequently they have no duty to perform other than to pass the budget as submitted without consideration and without change. It is commonly stated in connection with the county budget, in a very general and all-inclusive way, that "the expenditures are all fixed by statute" or that "the City Treasurer must provide the money anyway upon the voucher of the county officer"; both of these statements are true only in a very limited degree and neither goes to the root of the principle of appropriating upon a budget plan, which is that money shall be raised by taxation only to the extent of the necessary requirements of government and administration, as determined in advance. It is true that a certain number of positions and the salaries attached to them are fixed by statute and as to these neither the Mayor nor the Council has any power of change. But the personal service schedule, Schedule A, is only a part of the entire expense of administration, and of that schedule a very large

number of salaries are under the control of the Mayor. That this is so has been determined in the courts and the authority of the Mayor is now admitted. In our opinion the argument that "the money must be provided anyway and therefore there is nothing to be gained in considering the budget estimates" does not meet the question which may be stated as follows: "How much money is going to be needed, and therefore must be raised by taxation, for the necessary expenses of the year, and how is it to be divided?" If more money is asked for than is going to be used, and the appropriating body appropriates the full amount, then it is acting to impose a needlessly heavy burden upon the taxpayer. We are dealing not with mere theoretical figures but with figures that will be translated later on into terms of the tax rate. Furthermore, there is the authority of the city charter which provides in section 3 that "It shall be the duty of the city and county officials, when requested by the Mayor, to submit forthwith in such detail as he may require estimates for the next fiscal year of the expenditures of the department or office under their charge, which estimates shall be transmitted to the City Council." With these considerations in mind the committee entered upon its duties. His honor the Mayor submitted the budget to the Council on February 14, 1927, with the statement that he was departing from the policy of deferring the submission of the county budget until the city budget was ready "in order that the Council may have ample time to study the estimates and allowances." Hearings began at 1 p. m. on March 1, and were continued on March 2, 3 and 8 until almost all the various department heads of Suffolk County had appeared before the committee, and their budget estimates and allowances examined. This included the sheriff, the justices or clerks of all the courts including the district courts and excepting only the Municipal Court, the Medical Examiners, Register of Deeds, and the Commissioner of Penal Institutions. In view of the delay attendant upon the passage of the tax limit bill by the Legislature it has seemed advisable to report the accompanying Appropriation Bill for the County of Suffolk separately in order to enable the auditor to set up the necessary expense control in his books and to assist and facilitate the financial operations of the city.

Commenting generally upon the bill, the total as submitted in the budget estimates (not including county debt requirements), was \$3,543,635.32; as allowed by the Mayor \$3,374,053.81; and as now reported by the committee \$3,346,057.98. The reductions made by the Mayor totaled \$169,581.51, and the further reductions made by your committee, \$27,995.83. The bill as reported herewith represents a reduction of 5½ per cent, or in terms of tax rate, about 11 cents on an equivalent of \$2 of the tax rate, as compared with the estimates originally submitted. The total amount as reported, namely \$3,346,057.98, is \$99,260.10 less than the total appropriated last year and, including the progressive reduction in the requirements for county debt, \$106,670.11. This reduction is accounted for partly by the fact that there were certain unusual expenses last year that did not recur this year (for example in the Probate Court the binding and printing of indices, \$11,000, the furnishing of the Dorchester and Brighton court-houses, \$25,000, and the building of a bulkhead wall at Deer Island, \$15,000), and very largely by the apparently more efficient operation of some of the large departments, and has been effected in the face of an increase in Schedule A of about \$30,000. A table of the increases and reductions in the various departments follows:

TABLE OF INCREASES AND REDUCTIONS IN COUNTY DEPARTMENTS FOR 1927 AS COMPARED WITH 1926.

|                                                       | Increase.   | Decrease. |
|-------------------------------------------------------|-------------|-----------|
| Suffolk County Courthouse (Custodian).....            | \$10,825 25 |           |
| Suffolk County Courthouse (County Buildings).....     |             | \$50 00   |
| County Buildings.....                                 |             | 21,692 82 |
| Jail.....                                             |             | 3,542 08  |
| Supreme Judicial Court.....                           | 416 53      |           |
| Superior Court, Civil Session (General Expenses)..... |             | 21,550 00 |
| Superior Court, Civil Session (Clerk's Office).....   | 4,837 61    |           |
| Superior Court, Criminal Session.....                 |             | 57,520 19 |
| Probate Court.....                                    |             | 12,975 00 |
| Municipal Court.....                                  | 6,186 92    |           |
| Municipal Court, Charlestown District.....            | 99 00       |           |
| East Boston District Court.....                       |             | 518 15    |
| Municipal Court, South Boston District.....           | 235 00      |           |

|                                                    | Increase.           | Decrease.           |
|----------------------------------------------------|---------------------|---------------------|
| Municipal Court, Dorchester District.....          | \$164 47            |                     |
| Municipal Court, Roxbury District.....             | 1,925 00            |                     |
| Municipal Court, West Roxbury District.....        |                     | \$374 66            |
| Municipal Court, Brighton District.....            | 1,799 60            |                     |
| Boston Juvenile Court.....                         | 75 00               |                     |
| District Court of Chelsea.....                     |                     | 1,407 25            |
| Registry of Deeds.....                             | 2,543 32            |                     |
| Index Commissioners.....                           |                     | 1,055 00            |
| Land Court.....                                    | 650 00              |                     |
| Medical Examiner Service, Northern Division.....   |                     | 356 37              |
| Medical Examiner Service, Southern Division.....   | 255 00              |                     |
| Associate Medical Examiner, Northern Division..... |                     | 5 00                |
| Associate Medical Examiner, Southern Division..... |                     | 105 00              |
| Miscellaneous Expenses: Auditing Department.....   |                     | 15 00               |
| Granite Avenue Bridge.....                         |                     | 159 52              |
| Penal Institutions Department:                     |                     |                     |
| Office Expenses.....                               |                     | 1,057 13            |
| House of Correction.....                           |                     | 9,997 13            |
| Steamer "Michael J. Perkins".....                  | 3,107 50            |                     |
|                                                    | <u>\$33,120 20</u>  | <u>\$132,380 30</u> |
| Net Decrease.....                                  | \$99,260 10         |                     |
| Decrease in Debt Require-<br>ments.....            | 7,410 01            |                     |
|                                                    | <u>\$106,670 11</u> |                     |

Coun. PARKMAN—Mr. President, I will not take the time of the Council to read this table in detail, but will simply at this time call attention to the largest changes. In Suffolk County Court-house, Custodian, there was an increase of \$10,-825.25, largely due to salary overlay, the full effect of general salary increases made last year coming into operation this year, and in addition to that two new positions at the courthouse, a fireman and a janitor. In County Buildings there is a decrease of \$21,692.82. This is entirely accounted for by the fact that the Dorchester and Brighton appropriation was made last year and does not recur this year. There was a reduction in the jail of \$3,542.08; \$2,000 of that represents a more favorable method of purchasing coal, and the balance is due to the death of two pensioners in Item F-7. The item for Superior Court, Civil Session, General Expenses, was reduced as compared with last year \$21,550. That decrease is almost entirely due to a saving in jurors. The Chief Justice of the Superior Civil Court has co-operated to such an extent that, through more efficient operation, there will be a saving of \$15,000 in that item. The item for Superior Court, Civil Session, Clerk's Office, has been increased by \$1,837.61. That increase is due entirely to salary increases to clerks not provided for last year, those getting between \$1,500 and \$2,100. In the Superior Court, Criminal Session, there is a reduction of \$57,520.19. I will refer to this more in detail later on, at this time simply saying that a reduction of \$20,000, was made in Items B-34 and 35, covering Jurors, Fees, Service of Venires, etc, making a reduction of \$40,000, as compared with last year; \$5,000 in traveling expenses and \$1,000 in the clerks pro tem, and in a vacancy of one interpreter. In the Probate Court, there is a decrease of \$12,975. That is accounted for largely by the fact that the printing of indexes, \$11,000, does not occur this year, and in addition there is a reduction of \$500 in the item for fees and service of venires. In the Municipal Court there is an increase of \$6,186.32, accounted for by the addition of extra clerical assistance. In the Municipal Court of the Roxbury District there is an increase of \$1,925, accounted for by the extra clerical assistance made necessary by increased business. In Municipal Court, Brighton District, the increase of \$1,799.60 is made up of an allowance of \$700 for new books and the new position of assistant probation officer. In the District Court of Chelsea, a reduction of \$1,407.25 is the result of two vacancies. The increase for Registry of Deeds, \$2,543.32, is due to increased salaries. Coming down to the Penal Institutions Department, the House of Correction item shows a decrease of practically \$10,000, due to the fact that certain scawall work is not required this year; and the increase in the item of steamer "Michael J. Perkins," \$3,107.50, is for repairs in connection with guard rail, and for increase in salaries of men on the vessel. It is worthy of remark that the county pay roll amounted to up-

wards of \$1,934,000 out of the total of \$3,346,000, or about 58 per cent, leaving only about \$1,412,000 for the other budget schedules. Considering the increase of \$30,000 in salaries together with the net reduction of \$106,000, there has obviously been a reduction in the other schedules of \$136,000, or almost 10 per cent. The most marked reduction occurs in the appropriation for the Superior Court, Criminal Session. For making this possible, credit is almost entirely due to the District Attorney's office. Its expeditious and efficient handling of the large volume of business and the great number of cases which pass through the office enabled the committee to reduce still further the Mayor's allowances for the Items B-34 and B-35, so that the amount appropriated this year for B-34, Jurors, is \$150,000 as against \$175,000 last year, and the amount appropriated for B-35, Fees, Service of Venires, etc., is \$70,000 as against \$85,000 last year, a clear saving of \$40,000. Before making this reduction the committee carefully checked the figures given by the District Attorney in a public speech and the actual three months' expenditures as reported to the auditor's office and is convinced that the figures allowed are amply sufficient to cover the expenses chargeable to these items. Credit is also due to the Chief Justice of the Superior Court, Civil Session, for his co-operation in agreeing to keep the expenses for jurors down to an amount \$15,000 less than that appropriated for 1926. Taking up the changes made by the Committee in detail they are in order as follows:

#### County Buildings.

In Schedule A-1 it was found possible to make a reduction of \$700 on account of the fact that certain cleaners allowed for in the budget were not to be actually employed at the Dorchester Court-house until at least April 1. Item F-7, Pensions, was reduced \$850 owing to the death of two pensioners since the beginning of the year.

#### Suffolk County Jail.

D-3, Fuel. A reduction of \$2,000 in this item was found to be possible by arranging for the purchase of coal by the Supply Department under the city's contract.

F-7, Pensions, was reduced \$1,295.83, owing to the death of two pensioners since the first of the year.

#### Superior Court, Civil Session, General Expenses.

Owing to the resignation of Mr. Bellow, equity clerk, the salary of \$5,000 which he received by statute dropped back to \$4,500. A bill is now passing the Legislature putting this salary back at \$5,000, effective June 1. An allowance of \$4,800, however, is sufficient to cover payment of this salary for the year, and Schedule A-1 has accordingly been reduced \$200.



## Superior Court, Criminal Session.

Schedule A-1 was reduced \$600 on account of an unfilled vacancy in the position of interpreter and Schedule A-2 was reduced \$1,000 in the allowance for clerks pro tem on account of the more efficient expedition of criminal business. The reduction of \$10,000 in B-34, Jurors, has already been explained as has also the reduction of \$10,000 in B-35, Fees, Service of Venires, etc.

## Probate Court.

The allowance of \$2,000 for B-35, Fees, etc., was found to be in excess of probable requirement and was accordingly cut \$500.

No changes whatever were made in the allowances for any of the district courts except the

## District Court of Chelsea.

Here it was found that on account of an unfilled vacancy in the position of judge, there was some confusion in the method of charging the salary of the temporary judge and it was found possible to reduce Item A-1 by \$850.

## County Debt.

The debt requirements are a fixed quantity every year, decreasing automatically as debt matures and is retired. The amount of the reduction this year is \$7,410.01, and the total amount required for serial debt, sinking fund and interest is \$118,705.50. The foregoing reductions total \$27,995.83. The committee's work has, I believe, been done painstakingly, and the allowances examined with care. Thanks are due to the county officials for their courtesy and co-operation. It need hardly be said that the committee would not be able to report even the reductions which it has but for the assistance of the Budget Commissioner, whose work is responsible in the first instance for the excellent condition in which the budget was prepared and submitted. The Committee on Appropriations accordingly recommends the passage of the orders.

Coun. McGRATH—Mr. President, I feel, because of the publicity given last week to the item relative to the District Attorney's office, that a word should be said about it. Everyone who has listened to the report of the committee sees that it is very progressive and is one that has required a good deal of thought on the part of the committee, but, having in mind the position particularly of members like Coun. Mahoney and Lynch of South Boston, I feel that an additional word should be said, because of the misapprehension possibly through the city that they had allowed a cut in the office of a man who is a friend of all the twenty-two members here. As a matter of fact, I would say that both councilors from South Boston communicated with the District Attorney's office, and it is my understanding that this item as reported is perfectly agreeable to him, and that the report is entirely friendly to the District Attorney. I think we all now realize that after listening to the report made by the chairman of the committee.

Coun. MAHONEY—Mr. President, being a member of the Committee on Appropriations, I would like to ask the chairman to read once more the sentence relative to the District Attorney's office.

Coun. PARKMAN—Mr. President, no one could deprecate more than I do the misleading manner in which the action of the committee was reported in the press. As the report states, and it has now gone into the record, the credit for making the reduction which we were able to make on the criminal side of the Superior Court is entirely due to the District Attorney's able management of his office. I shall be pleased to read again the portion of the report which has reference to the District Attorney's office:

"The most marked reduction occurs in the appropriation for the Superior Court, Criminal Session. For making this possible, credit is almost entirely due to the District Attorney's office. Its expeditious and efficient handling of the large volume of business and the great number of cases which pass through the office enabled the committee to reduce still further the Mayor's allowances for the items B-34 and B-35, so that the amount appropriated this year for B-34, Jurors, is \$150,000 as against \$175,000 last year, and the amount appropriated for B-35, Fees, Service of Venires, etc., is \$70,000 as against \$85,000 last year, a clear saving of \$40,000."

Coun. DOWD—Mr. President, may I ask the chairman, through you, what is the total saving in the budget of the District Attorney this year and last year?

Coun. PARKMAN—It is pretty difficult to separate from the items for the Superior Court Criminal Session, the budget for the District Attorney's office, as distinguished from the clerks and other departments. The total reduction for which the District Attorney's office is responsible is probably in the neighborhood of about \$60,000. The reduction of \$1,000 in clerks pro tem is also a reflection of the efficiency of the District Attorney's office, as is also the reduction of \$5,000 in traveling expenses, which involves the sending of men after criminals and bringing them back to this jurisdiction. Does that answer the question?

Coun. DOWD—Yes.

Coun. GUILD—Mr. President, I have a great deal of respect for the work which the Committee on Appropriations has done this year on the budget for Suffolk County. It has taken the several items presented to it and given careful, thoughtful consideration to them, and the efforts of the committee show what can be accomplished when we really get down to brass tacks and put in some conscientious work in an effort to save money for the tax payers of the City of Boston. The City Council as a whole is now called upon to pass upon an item of \$3,300,000 odd. It does not seem to me fitting that the City Council as a whole should allow it to be said that the members of the Committee on Appropriations are the only ones who have given serious careful thought and study to the problem presented; and, frankly, while I admire greatly the report which the Committee on Appropriations has made, I do not think I should be called upon to vote in favor of or against it merely upon the reading of it, but that I should have time to sit down, read it, peruse it, and really know what it is that I am expected to vote upon. I move, therefore, that the report be laid upon the table for one week, so that the report of the Committee on Appropriations may be printed and given to the other members of the Council for their perusal.

Coun. PARKMAN—Mr. President, no one would hesitate more than I to seem to be in the position of denying to any member of this Council the time he thought necessary for consideration of the budget. But the budget hearings before the Committee on Appropriations have been open to all members of this Council. I have had it once or twice thrown back at me by the councilor from Jamaica Plain (Coun. Guild) that I was not present at some meeting that occurred in regard to a matter, when I took occasion to question an order in which he was interested. I now take great pleasure in throwing the same criticism back at the councilor from Jamaica Plain, and I would also add that I don't see that anything is to be gained by delaying action upon this matter. The Committee on Appropriations is ready to answer any question that any member of the Council may put to it. The budget sheets are here before us. The councilor from Jamaica Plain can be furnished with all the budget sheets, and if it is necessary to stay here until midnight, I think we will all be delighted to do so, and I shall endeavor to answer any questions that may be put. I don't see why we should not discuss this matter here and now, rather than put it over for a week.

Coun. GUILD—Mr. President, before getting into any exchange of courtesies with the learned councilor who has just sat down, I think he has already indicated that the City Council should not undertake to pass the budget with a snap of the fingers, simply because the Committee on Appropriations has passed it. He states that he is willing to sit here until midnight and discuss the matter. There may be some of us who have other engagements between now and midnight, and it is not always convenient for us to put in that amount of time, without any notice, upon a matter coming before us. Therefore, without gainsaying anything that the previous speaker has said regarding times that I called him for not appearing before certain committees, I will simply say that I did not get any invitations or any notices that meetings of the Committee on Appropriations were being held, myself, and knew nothing about it at the time. So, while I was absent from the committee meetings, there was a reason why I was absent. I think, however, that nothing I might say in addition would add any weight to the fact that I ought not to be expected to vote upon this until I know some-



thing about it. Therefore, I press my motion that the matter be laid on the table for one week.

President HEFFERNAN—The question is on assignment of the matter to the next meeting.

The motion to assign was lost by a rising vote, 2 to 17.

Coun. WILSON—Mr. President, similarly to Coun. Guild I received no notice of the meetings of the Committee on Appropriations, not myself being a member, and accordingly was not aware of the days and hours when those meetings were held. As a matter of interest I did attend one meeting, and I would now be interested in finding out how many of the members who seem to be prepared to vote for the adoption of these orders today without further consideration and debate have attended the meetings of the committee. I would like to have those members who are prepared now to vote in the affirmative on this budget rise, those who have attended at least one meeting of the Committee on Appropriations.

President HEFFERNAN—The question is on the acceptance of the report of the committee and the passage of the orders.

Coun. PARKMAN—Mr. President, I would simply like to make a public apology for my ignorance of the etiquette of these things. I had supposed that councilors were chargeable with notice of the business of the Council, and I have never waited to receive an engraved invitation from the chairman of any committee before I attended a meeting of the committee. The notice of any committee meeting is always posted in the committee room, where it may be easily seen. In future, I shall be very glad to send invitations to all the councilors to attend meetings on the subject of the budget.

Coun. WILSON—Mr. President, while Dorchester is always willing and ready to receive lessons in etiquette from the Back Bay, I still feel that a very important question suggests itself here, as raised by Coun. Guild's remarks and motion. I do feel, as Coun. Guild feels, that such councilors as have not been present at the meetings of the budget committee, might well and properly be afforded an opportunity to read and study the very illuminating, able and scholarly report presented by the chairman of the committee, so that all the members might at least be able to say that they had been afforded an opportunity to consider and digest the work of the Committee on Appropriations, and when we have another meeting would be in a position where they could say that they knew something about the subject.

Coun. FITZGERALD—Mr. President, I am a member of that committee, and I attended practically every meeting, with the exception of one, and I want to say that the procedure was a great deal different from that carried out a year ago. It was carried out, in my opinion, this year the best I have ever seen it carried out. Everybody was summoned here before the committee, every individual who had anything to do with any department and who from his connection with the department should come here. The thing certainly seemed to be very efficiently handled, as far as I could see, when I was present at the meetings.

Coun. ARNOLD—Mr. President, I am in the same position that I was last year, when I was following a different chairman. The chairman of the Committee on Appropriations last year took the same position that the chairman of the Committee on Appropriations has taken this year. I was with the chairman last year, against those who objected to prompt action, and I am with the chairman this year as against those who are objecting to action at this meeting.

Coun. WILSON—Mr. President, not wishing to drag this thing out further, but having some interest in the chairman of the committee of last year (laughter), I wish to state that at no meeting of the Committee on Appropriations last year was there less than a quorum present. At every meeting, I believe five or six, every member of the Council was invited, and at practically every meeting a majority of the Council were present. While the meetings may have been fewer, the general interest in the Council was greater last year than it has been this year. I feel, therefore, strongly, without reflection on Coun. Parkman, who I admit has gone very carefully into the matter, even more deeply than it was gone into last year, that Coun. Guild's suggestion is not a peculiar or unreasonable one.

The report was accepted, and the order passed, yeas 19, nays 1:

Yeas—Coun. Arnold, Donovan, Dowd, Dowling, Englert, Fitzgerald, Freely, Gildbody, Green, Heffernan, Keene, Lyneh, Mahoney, McGrath, Parkman, Ruby, Ward, Wilson, Wragg—19.  
Nay—Coun. Guild—1.

#### COMPETITIVE BIDS ON FIRE APPARATUS.

Coun. DOWD offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to ask for competitive bids on all fire apparatus to be purchased by the City of Boston.

Passed under suspension of the rule.

#### COST OF FIRE APPARATUS.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to ascertain from the American-LaFrance Company and submit to the City Council information as to why the city of St. Louis was allowed to purchase five 750-gallon pumpers for its Fire Department at a cost of \$10,700 each, while the price given the City of Boston is 20 per cent higher.

Coun. DOWD—Mr. President, this order is in line with the effort of last year to compel the Fire Commissioner to ask for competitive bids on the purchase of all fire apparatus. To substantiate my claim in reference to what St. Louis has paid, I have here a letter received by me from the St. Louis *Globe-Democrat*, in reply to a letter of mine. It says:

"Mr. John F. Dowd, City Councilor, Boston City Council, City Hall, Boston.

"Dear Sir,—The pumpers you asked about which were purchased from the American-LaFrance concern by the city of St. Louis cost \$10,700 apiece. There were five of them, all 750-gallon pumpers, for which the city paid a total of \$53,500."

I wish to call to the attention of the President and members of the City Council the fact that the City of Boston last year purchased the same kind of pumpers from the same concern and, in spite of the fact that Elmira, from which place they were shipped, is very much nearer Boston than St. Louis, the City of Boston paid \$13,500 apiece, or an increase of 20 per cent on every machine purchased. This goes on:

"At that time there were three aerial hook and ladder trucks purchased, but these were obtained from the Seagrave Company. They cost the city \$45,200, or \$15,066.50 each."

The City of Boston purchased the same apparatus and paid \$17,500 apiece. I believe if the City of Boston is going this year to expend the same amount of money—and I have been advised that it is proposing to expend \$140,000 for new fire apparatus—it should be on the basis of competitive bids. When they tell you that they cannot buy any other machines than American-LaFrance, because the machines are standardized in Boston, that is a lot of bunk. We recently saw the Fire Commissioner, for the first time in a great many years, break away from the Buick Automobile Company and purchase Chandler cars for the chiefs of the department. The same parts that you get from the American-LaFrance can be bought from any of the five different companies selling such apparatus. I do not believe any of us, if we were going to expend \$100,000 or \$150,000 of our own money, would pass it to the first man we met. The Seagrave, Fox, Stutz, and other people are making fire apparatus which is being used in New York, Chicago, St. Louis and every other large city of the country, and there is no real reason why the City of Boston should not compel its representative, the Fire Commissioner, to ask for public competitive bids in a matter of this kind.

Coun. GUILD—Mr. President, as I understand the order before us, it embodies a request for information. I assume that in introducing the order the gentleman had some useful purpose in mind in securing the information. Apparently, from the figures the gentleman has quoted at some length, the information which the gentleman asks for is already in his hands. So I do not see how it can serve any useful purpose to him to secure it over again. Therefore, I see no reason why the Council should go through the motions of asking for the information over again. If some useful purpose is to be served by an order, that is one thing, but I can see no useful purpose to be served by the order which has been presented,

under the circumstances. I am, therefore, opposed to its passage as implying a duplication of effort, the councilor having already secured the information which he here asks.

Coun. DOWD—Mr. President, replying to Coun. Guild I would simply say that the information I have is from the city of St. Louis, but I want to find out now whether the representative of the American-LaFrance Company proposes to charge the City of Boston 20 per cent more than was charged the city of St. Louis for similar apparatus. If we have to pay on every machine \$1,500 to \$2,000 more, I think we are entitled to know it. If the American-LaFrance Company is deliberately charging this city that amount more on every machine, it is time that the citizens of Boston and the City Council should know that fact definitely and should know where the money is going to.

Coun. GUILD—Mr. President, in order to dispel any illusion I may be under, I will ask the clerk to read the order again.

(The order was read.)

The order was passed, under a suspension of the rule.

#### TEMPORARY EMPLOYMENT OF ONE THOUSAND MEN.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of placing one thousand men at work temporarily to clean the streets and alleys of the city.

Coun. DOWD—Mr. President, in presenting this order I do so because of the fact that never in my short span of life have I seen the streets of Boston in the terrible condition that they are at the present time. To place 1,000 men at work for, say, a week, at \$30 a week each, will cost the City of Boston only \$30,000, and I certainly think, with the situation we are in, it is time that some real effort was made not only to clean the streets but also to remove the garbage and ashes that have been resting in the back yards of the people of Boston for the last month or two, and in some cases three months.

Coun. WARD—Mr. President, this morning the Mayor saw fit to see a delegation in his office relative to the matter of unemployment. One question that was brought up was the deplorable condition of the streets and alleys of the City of Boston. The necessity of placing to work 1,000 men to clean up the streets was impressed upon his Honor the Mayor, and I believe Coun. Dowd's order is a very fitting one at the present time.

The order was passed under suspension of the rule.

#### SIDEWALK ON HOWARD AVENUE.

Coun. McGRATH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 159 and 161 Howard avenue, Ward 13, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial tone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### COST OF RECONDITIONING OLD STATION 2.

Coun. McGRATH offered the following:

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to submit to the City Council an estimate as to the cost of placing in suitable condition for occupancy by some branch of the Police Department, the building formerly occupied as Station 2 on City Hall avenue.

Passed under suspension of the rule.

#### USE OF OLD STATION 2 BUILDING.

Coun. McGRATH offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to consider

the advisability of transferring some branch of the Police Department to the old Station 2 building on City Hall avenue.

Coun. McGRATH—Mr. President, up to a short time ago we had within a third of a mile of City Hall three units of police. One was in Station 2, next door, another was the Bureau of Criminal Investigation at Pemberton square, and the third was in Faneuil Hall, where the traffic squad were housed. As it stands today, the nearest station to City Hall is down Hanover street, a third of a mile away, Station 1. Station 2 is at the end of Milk street, half a mile away, as is Station 3 at Joy street, and Station 4 on La Grange street. It does seem to me, with a city such as we have, where the great banking interests are centered around the top of State street and the lower section of Court street, and with the natural activity there is around City Hall, that we should have some unit of police as a reserve force here in our downtown section. Someone has surely made a mistake in taking entirely away from this section such reserves of the police force as we formerly had. Next door we have the station house, which has been abandoned, assessed for approximately \$100,000, and lying idle now for two or three years. I believe there have been attempts to auction it twice, and they have failed. It is a peculiar piece of property, on a back street, which in some way does not seem to appeal to possible purchasers, and I understand that depositors under a tentative sale have twice surrendered the deposits that they have put up for the purchase. Where we have a building here next door with a "For Sale" on it month after month, I feel that it hurts the little places of business around the hall and does not create a proper atmosphere in what is supposed to be the active part of the city, this section around City Hall. Therefore, this order suggests itself, that we get an estimate from the Superintendent of Public Buildings, or through his Honor the Mayor, as to how much it will cost to refit that station house next door, which never should have been abandoned in its entirety, and, furthermore, to get some opinion from the Commissioner of Police as to whether it would be possible, say, to take the fifty men in the Bureau of Criminal Investigation, whose work would naturally center down in this section, and place them down here, sending that branch back near the heart of the financial section of Boston.

The order was passed under suspension of the rule.

#### PROTECTION AT ELEVATED STATIONS.

Coun. MAHONEY offered the following:

Ordered, That his Honor the Mayor be requested to take such action as may be necessary to compel the Boston Elevated Railway Company to provide sufficient protection for the public at the various stations in the subways and elevated routes by the construction of railings or fences or movable gates so that accidents such as recently occurred at the Broadway Station may be prevented hereafter.

Coun. MAHONEY—Mr. President, my main reason for introducing the order is the protection and safeguarding of those people who daily patronize the subway stations, and to prevent the recurrence of such a catastrophe as that which happened in the Broadway Tunnel on Saturday. I ask a suspension of the rule and the passage of the order.

Coun. GUILD—Mr. President, I would ask the councilor who introduced this order what he thinks the Mayor of Boston can do about it? My understanding is that the operation of the Boston Elevated Railway stations and cars comes under the control of the State Department of Public Utilities, and I don't myself know what the Mayor of Boston can do about it. I would be pleased to hear the councilor state.

Coun. MAHONEY—Mr. President, if I have been correctly informed, his Honor the Mayor can ask the Elevated to take such action.

The order was passed under suspension of the rule.

#### EXPENSES OF SUFFOLK COUNTY APPORTIONMENT COMMISSIONERS.

Coun. KEENE offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation authorizing the



city to pay counsel fees and expenses for services rendered for the Suffolk County Apportionment Commissioners.

Coun. KEENE—Mr. President, in compliance with the Revised Laws as amended, at the election in 1924, apportionment commissioners were elected to divide Suffolk County into representative districts. These apportionment commissioners stood in the place of county commissioners in the other counties. These commissioners met to effect their organization and thereafter, in due time and in a proper manner, performed their duties and submitted their report to the Secretary of the Commonwealth. Thereafter a writ of mandamus was filed in the Supreme Judicial Court for the County of Suffolk, in which it was alleged that the apportionment was illegal and not in accordance with the provisions of the Constitution. Upon notification of the filing of this writ with the clerk of the court, it became necessary for the said Board of Apportionment Commissioners to secure assistance of counsel to properly represent them in the said proceedings. Application was first made to secure the services of the Law Department of the City of Boston and a request was made to the Mayor of the city with that end in view. While it was agreed that the apportionment commissioners in Suffolk County were elected to perform duties which are performed in every other county by county commissioners, and while it was admitted that the members of the Boston City Council are duly authorized to act as county commissioners of Suffolk County in the performance of the duties usually appertaining to such office, yet it was felt that the Law Department of the City of Boston could not represent a board of commissioners, created by an act of the Legislature to perform special duties in the county, any more than could the law departments of Chelsea, Revere and Winthrop. It therefore became necessary for the apportionment commissioners to retain the services of special counsel to represent them and defend the action brought against them in their official capacity, in accordance with the usual practice of county commissioners in other counties in like cases, as instanced by the action of the county commissioners of Essex in the same year, when the legality of the apportionment in that county was assailed in similar proceedings. The apportionment commissioners are informed that there are no funds of the county available for the payment of services of the counsel who were retained to represent them in the aforesaid proceedings and that it is therefore necessary to secure authorization for the payment of the said legal services by act of the Legislature. The services included examination of the proceedings and the report of the Board of Commissioners and obtaining a legal opinion in regard to the constitutionality of the action taken by the commissioners in making their report. The special counsel then represented the commissioners in proceedings upon demurrer and answer in the Supreme Judicial Court, which resulted in the proceedings brought by the petitioner being dismissed. A report of the case was then ordered at the request of the petitioner for consideration by the full bench, and further proceedings were rendered necessary in connection with this report. The report was finally discharged after hearing upon motion filed by the special counsel for the apportionment commissioners because of delay in prosecuting the report before the Supreme Judicial Court for the Commonwealth. I would move you, sir, that this matter be referred to the Executive Committee, and I would suggest that the City Messenger ask Mr. Deland, the Corporation Counsel, to appear before us at once in executive session, and we can then go into details.

Coun. FITZGERALD—Mr. President, I did not thoroughly hear the order read. I understand that it is proposed to go to the Legislature to get the necessary authority to pay this money?

Coun. KEENE—That was the intent, and the Council and the Mayor would have to act on it afterwards. It is proposed that an amount not to exceed \$1,000 be authorized.

Coun. FITZGERALD—Mr. President, judging from what has happened in connection with these apportionments in the past, I don't know but what that would be establishing a very bad precedent here. These last commissioners, for instance, distinctly knew the law. The committee of the Legislature laid out the wards of the city, dividing them as nearly equally as possible, to give approximately 11,000 voters

to each ward, with the absolutely distinct understanding that each ward was to have two representatives in the Legislature. There was very little work for this commission naturally to do, because the Supreme Court had advised the Legislature that certain people would be considered as legal voters. But the apportionment commissioners had the right to count potential voters. The law was absolutely clear. In the final result, one ward, Brighton, with 10,000 and almost 11,000 voters, was given one representative, while another ward with a few hundred was given three. This commission knew at the time what its duty was. Ten years ago the apportionment commissioners were compelled to pay money out of their own pockets for litigation they got into. Twice the Supreme Court told them to do thus and so, and they did something else and, not having acceded to the wish of the Supreme Court, they had to pay their expenses out of their own pockets. These men here knew what they were about, and they deliberately did what they did do. No public hearings were held, everything was done quietly, and they now come in here and want to be reimbursed for money paid to counsel. If we refuse to sanction this, we will be giving notice to future apportionment commissioners that when they do not do what they are expected to do under the law, they can pay their own bills. I repeat, these people knew what they were doing. It was a clear open-and-shut case, each ward having about so many voters and having so many representatives to a ward. They undertook to monkey with the thing and do things that they shouldn't do, and I don't think we should now give our authorization or sanction to reimbursement. They did not give a fair and equal representation to the different wards of this city, Mr. President, and they were clearly at fault.

The order was referred to the Executive Committee.

Referred to the Executive Committee.

#### QUARTERS OF MAHONEY POST, ROXBURY.

Coun. WARD offered the following:

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to place in suitable condition the quarters occupied by the Mahoney Post, Veterans of Foreign Wars, on Elmwood street, Roxbury.

Passed under suspension of the rule.

#### INCANDESCENT LAMPS FOR ROSEMONT STREET.

Coun. WRAGG offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install two incandescent lamps on existing poles on Rosemont street, Ward 18, in front of the Trescott School.

Passed under suspension of the rule.

#### SIDEWALK ON ALMONT STREET.

Coun. WRAGG offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along the westerly side of Almont street, from Walkhill street to Alabama street, Ward 18, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### BRANCH LIBRARY, EGLESTON SQUARE.

Coun. ENGLERT offered the following:

Ordered, That the trustees of the Boston Public Library be requested, through his Honor the Mayor, to locate and maintain a branch library and reading room at Eggleston square, Ward 11,



for the convenience of school pupils and for the use of adult residents of the locality.

Passed under the suspension of the rule.

#### ARC LIGHT, WASHINGTON AND FOREST HILLS STREETS.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an arc light at the corner of Washington and Forest Hills streets, Ward 11.

Passed under suspension of the rule.

#### BUTLER AVENUE AND FAXON STREET, EAST BOSTON.

Coun. DONOVAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Butler avenue and Faxon street, in the East Boston district.

Passed under suspension of the rule.

#### ORDINANCES CONCERNING PARK FRONTAGES.

Coun. LYNCH offered the following:

An Ordinance Concerning Park Frontages.

Be it ordained by the City Council of Boston, as follows:

Chapter 40 of the Revised Ordinances of 1925 is hereby amended in section 20 by striking out the words "Buttonwood street," in the fifteenth line of said section, and inserting in place thereof the words "Moseley street."

Referred to the Committee on Ordinances.

#### RECESS.

On motion of Coun. MAHONEY the Council voted at 3.32 p. m. to take a recess, subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President HEFFERNAN at 4.17 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following:

1. Report on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.:

Olive Olson, American House, April 12; Mary Campbell, Jordan Hall, May 4; Lulu Philbrook Repertory Hall, May 18,—that leave be granted under usual conditions.

Report accepted; leave granted, under usual conditions.

2. Report on order (referred March 14) to allow and pay an annuity to the widow of James J. Quinn, late member of the Boston Fire Department, who died from injuries received in the performance of his duties,—that said order ought to pass.

Report accepted; said order passed.

3. Report on order (referred March 28) to allow and pay an annuity to the widow of Joseph F. Donovan, late member of the Boston Fire

Department, who died from injuries received in the performance of his duties,—that said order ought to pass.

Report accepted; said order passed.

#### PUBLIC LANDS.

Coun. McGRATH, for the Committee on Public Lands submitted the following:

1. Report on preambles and order submitted by the Mayor (referred March 21) concerning release of easement on land on Roberts avenue, West Roxbury,—that the order ought to pass.

Report accepted; said order given its first reading and passage, yeas 16, nays 0.

2. Report on order (referred March 7) that the Mayor be authorized in the name and behalf of the city to execute a lease to Dorchester Post No. 498, Veterans of Foreign Wars, of one room in the city building situated at the corner of Washington and Norfolk streets, Dorchester, for a term not exceeding five years, beginning with the passage of the order, at a rental of \$1 per annum,—that the same ought to pass.

Report accepted; said order passed, yeas 16, nays 0.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President HEFFERNAN, under unfinished business, called up No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor March 28, 1927, of Edward Dodds, to be a Weigher of Goods, and Philip A. Dornin, to be a Weigher of Coal.

The question came on confirmation. Committee, Coun. McGrath and Englert. Whole number of ballots, 15, yeas 15, and the appointments were confirmed.

#### RULES OF CITY COUNCIL.

Coun. WILSON offered the following:

Ordered, That the rules of the City Council be amended by adding at the end of Rule 13 the following:

Any order or resolution referred to any Standing Committee of the Council shall be reported back within thirty days or same may be ordered out of the committee by vote of a majority of the Council for action by the Council.

Coun. WILSON—Mr. President, as I understand, under our present rules, practically every order or resolution is referred to a committee, and it sometimes stays there, to die a natural or unnatural death, unless a two-thirds vote can be obtained to pull it out for action in this body. This amendment is aimed at allowing a majority of the Council to vote one way or another on any order or resolution, even after it has gone to a committee.

The order was referred to the Committee on Rules.

#### COMMITTEE OF PUBLIC SAFETY.

President HEFFERNAN announced the appointment of the following as the Committee on Public Safety: Coun. Mahoney, McGrath, Parkman, McMahon, Ruby, Dowd, Donovan.

#### GENERAL RECONSIDERATION.

On motion of Coun. PARKMAN, the Council refused a general reconsideration of all action taken today.

Adjourned at 4.24 p. m., on motion of Coun. DOWD, to meet on Monday, April 11, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, April 11, 1927.

Regular meeting of the City Council in the Council Chamber, at 2 p. m., President HEFERNAN in the chair. Absent, Coun. Bush.

## ANNUAL LIST OF CONSTABLES.

The following was received:

City of Boston,  
Office of the Mayor, April 11, 1927.

To the City Council:

Subject to confirmation by your honorable body I hereby appoint the following-named persons constables of the City of Boston for the term of one year, beginning with the first day of May 1927.

All of the persons named in this list are re-appointments.

Commissions of constables not named herein will expire April 30, 1927, and such constables are hereby removed from office from and after May 1, 1927, for the good of the service.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

(Appended was the list of constables as contained in City Document 55.)

Laid over for one week under the law.

## ANNUAL LIST OF MINOR OFFICERS.

The following was received:

City of Boston,  
Office of the Mayor, April 11, 1927.

To the City Council.

Subject to confirmation by your honorable body I make the following appointments of minor officers paid by fees for the term of one year beginning with the first day of May, 1927. The appointments of all such officers not named herein are hereby revoked from and after April 30, 1927.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

(Appended was the list of minor officers as contained in City Document 56.)

Laid over for one week under the law.

## APPOINTMENT OF CONSTABLES.

The following was received:

City of Boston,  
Office of the Mayor, April 11, 1927.

To the City Council.

Gentlemen,—Subject to the approval of your honorable body, I hereby appoint the following-named persons to be constables of the City of Boston for the term ending April 30, 1928:

Michael Joseph Shields, 30 Bellflower street, Ward 7; James Gabriel Curran, 106 Pleasant street, Ward 15; John Falvey, 19 Spring Park avenue, Ward 19; Richard Francis Lombard, 88 Russell street, Ward 2; Philip C. Wolff, 69 Dudley avenue, Ward 20; Samuel Semiansky, 336 Blue Hill avenue, Ward 14; Louis L. Dubrow, 335 Seaver street, Ward 21.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Laid over a week under the law.

## USE OF OLD STATION 2 BUILDING.

The following was received:

City of Boston,  
Office of the Mayor, April 11, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Department in reply to your

order of April 4, 1927, in relation to transferring some branch of the Police Department to the old Station 2 building on City Hall avenue.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Boston, April 8, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mayor Nichols,—Replying to an order of the City Council under date of April 4, that the Police Commissioner be requested to consider the advisability of transferring some branch of the Police Department to the old Station 2 building on City Hall avenue, I wish to state that there is no branch or division of this department which can be transferred to the old Station 2 building on City Hall avenue.

The City of Boston erected a new ten-story building for the accommodation of Police Division 2, Traffic Division and Property Clerk, largely because the building on City Hall avenue was not fitted from any viewpoint for police station work.

Yours respectfully,  
HERBERT A. WILSON,  
Police Commissioner.

Placed on file.

The following was received:

City of Boston,  
Office of the Mayor, April 11, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Public Buildings Department in reply to your order of April 4, 1927, in relation to an estimate as to the cost of placing in suitable condition for occupancy by some branch of the Police Department the building formerly occupied as Station 2 on City Hall avenue.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Buildings Department, April 8, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Replying to the inclosed order of the City Council under date of April 4, 1927, that the Superintendent of Public Buildings be requested, through his Honor the Mayor, to submit to the City Council an estimate as to the cost of placing in suitable condition for occupancy by some branch of the Police Department the building formerly occupied as Station 2 on City Hall avenue, I wish to say that it is somewhat vague as to the uses to which the building is to be put. If it were to be used as a substation, it would be necessary to practically rebuild same in order to put it in condition, but if it was merely to be used as a lockup, the same could be made habitable at a cost of approximately \$35,000.

If it is to be occupied at all by prisoners, the cells, which are now located in the basement, would have to be removed and placed on the first floor of the building under sanitary conditions as called for by the present state laws. This feature in itself would entail considerable expense, but until such time as I know just what uses the building is to be put to, it would be impossible to give a more detailed statement.

Respectfully yours,  
JOHN P. ENGLERT,  
Superintendent of Public Buildings.

Placed on file.

## PARKING AT CITY HALL.

The following was received:

City of Boston,  
Office of the Mayor, April 8, 1927.

Gentlemen,—I transmit herewith a communication from the Police Department and the Public Buildings Department in reply to your order of March 28, 1927, in relation to clearing area adjacent to City Hall of automobiles.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Buildings Department, April 4, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Replying to the order of the City Council under date of March 28, 1927, in which it



was ordered that his Honor the Mayor request the Police Commissioner, the Board of Street Commissioners and the Superintendent of Public Buildings to co-operate in taking action to clear the area adjacent to City Hall of automobiles, I wish to state that I have had this matter in mind for some time and have repeatedly taken same up with the traffic officer located therein and it appears that, with all his assistance, the situation is not relieved.

He informs me that he consistently tags thirty to forty cars a day, and of course he could go any further in the matter. He, no doubt, will continue in this manner in the hope that in time it will have a tendency to clarify the situation.

Respectfully yours,

JOHN P. ENGLERT,

Superintendent of Public Buildings.

Placed on file.

#### APPROPRIATIONS FOR MORTON STREET IMPROVEMENT.

The following was received:

City of Boston,

Office of the Mayor, April 5, 1927.

To the City Council.

Gentlemen,—Under the provisions of chapter 325 of the Acts of 1925 the city was authorized to borrow \$325,000 outside the statutory limit of indebtedness, provided that appropriations equal to 10 per cent of such loan should be voted from taxes or other sources of revenue, for the widening of Morton street in the Dorchester district. In 1925 \$225,000 of this loan, together with a sum equal to 10 per cent thereof, was appropriated for the widening of this street between Morton road and Canterbury street. In order to complete the project it now becomes necessary to appropriate the balances remaining in the authorization. I accordingly submit herewith two orders, one providing for the appropriation of \$100,000 outside the statutory limit of indebtedness and the other for \$10,000 to be raised by taxation. I respectfully recommend adoption of these orders by your honorable body.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$10,000 be and hereby is appropriated to be expended by the Board of Street Commissioners for Morton Street Improvement, in accordance with chapter 325 of the Acts of 1925, and the amount so appropriated be raised by taxation on the polls and estates in the City of Boston.

Ordered, That under authority of chapter 325 of the Acts of 1925 the sum of \$100,000 be and hereby is appropriated to be expended by the Board of Street Commissioners for Morton Street Improvement, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount, the same to be issued outside the limit of indebtedness.

Referred to the Committee on Finance.

#### APPROPRIATION FOR PUBLIC WELFARE DEPARTMENT.

The following was received:

City of Boston,

Office of the Mayor, April 9, 1927.

To the City Council.

Gentlemen,—Under General Law, city departments may expend, prior to the passage of the annual appropriation bill, an amount not in excess of "one third the entire amount appropriated for the department for the previous year." Under ordinary conditions, the maintenance costs of city departments for the first four months of the financial year may be financed in accordance with this provision. This year, however, due to the heavy demands for aid and relief resulting from commercial and industrial depression it appears that the expenditure requirements of the Public Welfare Department will exceed one third of the appropriation for last year before the close of the current month.

In 1926 the appropriations of this department

totaled approximately \$1,900,000. One third of this amount is approximately \$630,000. The expenditures of the department for the first three months of this financial year were approximately \$500,000, or an average monthly expenditure in excess of \$160,000. From these figures it is evident that the balance of the amount which the department may expend prior to the passage of the budget will be hardly sufficient to meet the requirements of the department for the month of April.

Due to the unusual confusion and misunderstanding attendant upon the fixing of the tax limit for the current year it will be impossible to submit the annual appropriation bill before a week from today. It is barely possible that a much longer time may elapse.

The public welfare of the city and its citizens is of paramount importance. It should not suffer because of delay for which the city is not responsible. In order that the public welfare may not suffer, I deem it advisable at this time to submit a separate appropriation order covering the relief items of the Public Welfare Department.

This order provides for the appropriation of \$1,730,000, an amount approximately \$70,000 less than was actually expended last year for relief by this department. It is my plan, unless conditions beyond my control stand in the way, to include in my budget recommendations of this year an appropriation permitting the employment of additional visitors in the Public Welfare Department. It is my sincere hope that through the employment of these additional people, it will be possible to save the amount which is reflected in the accompanying appropriation order. I recommend that your honorable body give immediate attention to this matter and respectfully recommend passage of the accompanying order.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1927, for performing the duties and exercising the powers devolved by statute or ordinance, or by vote of the City Council during the year, upon the City of Boston, or the department or officers thereof, the respective sums of money specified in the tables hereinafter set forth be and the same are hereby appropriated to be expended for the objects and purposes hereinafter stated, that the same be raised by taxation upon the polls and estates taxable in the City of Boston, and that all orders relating to appropriations, taxes and the interest thereon apply to the taxes herein provided for.

#### PUBLIC WELFARE DEPARTMENT.

Central Office.

|                            |             |
|----------------------------|-------------|
| F. Special Items.....      | \$1,730,000 |
| 9. Care of dependents..... | \$1,000,000 |
| 10. Mother's Aid....       | 730,000     |

Referred to the Committee on Appropriations.

Coun. DOWD—Mr. President, if there is no objection from the chairman of the Committee on Appropriations (Coun. Parkman), I would move you, sir, that this matter be referred to the Executive Committee so that we can act upon it this afternoon, as I believe the need is pressing.

Coun. PARKMAN—Mr. President, I should not object at all to immediate action if I thought the need were as pressing as the councilor seems to think, but the message which accompanies the order itself states that the money available might not be sufficient for the month of April. It is now only April 11. The Committee on Appropriations can meet during the week and report this bill back April 18, which will be only just past the middle of the month. I think the conditions in the Public Welfare Department, and conditions concerning the relief of the poor are worthy of considerable study, more study than can be given today in a hasty meeting of the Executive Committee, I would therefore prefer to see the matter referred to the Committee on Appropriations, with the assurance that we will meet on the matter this week and report at the next meeting.

Coun. DOWD—Mr. President, I do think it is important that this matter should be taken care of immediately. I believe the Overseers of the Public Welfare should have sufficient money on hand at all times to take care of the poor of the

city. If there is no objection from the chairman of the Committee on Appropriations, I would like to see a meeting of the committee this afternoon, so that they could report back the order this afternoon.

Coun. PARKMAN—Mr. President, I do not feel that we could call a hasty meeting of the committee this afternoon and give to this matter the consideration it should have. I agree with the councilor who has just spoken that the Overseers of the Public Welfare should at all times have money available to meet the necessary needs of the poor, but I believe they have sufficient funds on hand and will have sufficient funds on hand by the 20th or 25th of April. Therefore, I cannot see the slightest reason for not holding a meeting on the matter some later day this week, and reporting the order back next week. It will only require one reading; it is not a question of having two readings on the bill.

President HEFFERNAN—Does Coun. Dowd withdraw his motion?

Coun. DOWD—Mr. President, I understand that there has been some talk of the Council taking a recess over the holiday next week, and that would mean that we would not be able to act upon the matter for two weeks. I do not believe there is a member of the Committee on Appropriations or a member of the Council who questions a single item in this bill submitted by the Mayor, and personally I feel that the money should be available at the present time.

President HEFFERNAN—The Chair will say that the councilor has not answered the question. The question is, whether or not you have withdrawn your motion?

Coun. DOWD—Well, Mr. President, in view of the fact that the chairman of the Committee on Appropriations thinks it is not necessary to take action today, I will agree to withdraw the motion, if it meets the wishes of the other members of the Council.

The motion was withdrawn, and the matter stood referred to the Committee on Appropriations.

#### PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

##### Claims.

Maud Anderson, for compensation for damage to property at Alley No. 809, caused by city truck.

Bertha F. Batchelder, for compensation for injuries caused by an alleged defect at 405 Washington street, Dorchester.

Bliss Boardman, for compensation for damage to automobile by ball thrown from North End Park.

Luigi Cirone, for compensation for loss of hens killed by dogs.

Dupe & Meadows, for refund on unused refuse tickets.

Mrs. S. Ferrara, for compensation for damage to property at 11A Worthington street, caused by city team.

Ellis Levant, for compensation for injuries caused by an alleged defect in Windermere street.

Ethel Moore, for compensation for injuries caused by an alleged defect at 21 Hammond street.

Elizabeth J. Smith, for compensation for loss of hens killed by dogs.

Mary Spano, for compensation for injuries caused by an alleged defect at 140 Hanover street.

##### Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Mrs. F. N. Carleton, Norfolk Hall, April 22.

Lillafrances Viles, Current Events Hall, April 30.

#### APPOINTMENT OF W. FRANKLIN BURNHAM.

Notice was received of the appointment by the Mayor of W. Franklin Burnham, of 294 Washington street, Boston, as member of the Board of Appeal.

Placed on file.

#### APPOINTMENT OF CHAIRMAN OF ELECTION COMMISSIONERS.

Notice was received from his Honor the Mayor of appointment of Frank Seiberlich as chairman of the Board of Election Commissioners.

Placed on file.

#### STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings to be held on Monday, April 25, on following petitions for storage and sale of gasoline:

Sadie Kostick, 169-181 Ipswich street, Ward 5, 2,500 gallons.

George A. Leslie, 149 and 151 North Beacon street, Ward 22, 1,000 gallons.

Ellen A. Williams Morrill, 82-98 Hampden street, Ward 8, 2,000 gallons.

Referred to the Executive Committee.

#### MILTON STREET, WARD 16.

Coun. GILBODY offered the following:

Ordered, That the Board of Street Commissioners, through his Honor the Mayor, be requested to lay out and accept Milton street, Ward 16, as a public highway.

Passed under suspension of the rule.

#### GUSTINE STREET, WARD 16.

Coun. GILBODY offered the following:

Ordered, That the Board of Street Commissioners, through his Honor the Mayor, be requested to lay out and accept Gustine street, Ward 16, as a public highway.

Passed under suspension of the rule.

#### CLOSING OF CITY HALL.

Coun. GILBODY offered the following:

Ordered, That his Honor the Mayor be authorized to close City Hall between 12 and 3 p. m. on Friday next, Good Friday.

Passed under suspension of the rule.

#### FIRE MENACE AT VICTORY ROAD DUMP.

Coun. GILBODY offered the following:

Ordered, That his Honor the Mayor be requested to instruct the proper department heads to take the necessary steps to remove the fire menace at the so-called Victory road dump, and to place this property in proper condition for use as a "Mothers' Rest."

Coun. GILBODY—Mr. President, I have introduced this order on behalf of many citizens who live in the community immediately adjacent to the Victory road dump, and I would also call attention to the fact that a week ago last Sunday a number of alarms of fire were sounded on account of fires at this dump. It is not only a menace in that way, but a menace because of the fact that the fire apparatus responding to alarms of fire at the dump go through communities that are very densely populated, endangering the lives of school children and others, and hindering traffic at Fields Corner and other important parts of Dorchester. I hope some action will be taken to rid the community and the people of Dorchester of this menace.

Coun. McGRATH—Mr. President, I trust the councilor is familiar with the fact that that dump is the dump that has been operated by Mr. Biggs, and that Biggs, who has special privileges at the hands of this administration, is one who should not be trifled with. It is true that I read on the front page of the paper one day of fire engines on five different occasions on that day having raced through Fields Corner—which is, next to Uphams Corner, the most congested section of Dorchester—at great risk to human life and limb. But, of course, they were responding to an alarm of fire at the dump that Biggs was operating without any right from the Board of Health or the Fire Department—although the Finance Commission



have ordered that certain things be done in reference to the dump, and have closed the dump. They have also made certain recommendations in regard to the hiring of citizens instead of aliens by Mr. Biggs, under his contract, although apparently none of the recommendations except that concerning the closing of the dump can be carried out, because Biggs is interested. I will say further, that, although this man enjoys a quarter of a million dollar contract with the City of Boston, not being satisfied with concessions he already obtained, beyond the law, he has an automobile of special make, a very handsome car, that he parks back of the Hall, bearing a dealer's number, D76J—doing that to avoid the payment to the City of Boston of \$100, this man who has this quarter of a million dollars contract. Whether he is working in league with somebody, whether he has protection from somebody or not, is a very interesting question,—but be very careful of harming Biggs. He is the man who—having no friends in the administration—has established a gasoline filling station on Blue Hill avenue, near Mattapan square, and another one over on Old Colony boulevard, soon to be used by thousands of people. But I would advise the Assessing Department that Biggs is the man who is now using that car I have referred to, D76J, in the way I have stated, for over a month, thereby thinking that he is going to avoid this \$100 payment. But don't harm Biggs! While I am in absolute accord with the councilor from Dorchester because I can appreciate what the people of his district have been suffering from this nuisance, let me warn him and others, if they don't want to get in bad with the administration, to do nothing that will harm Biggs.

Coun. GILBODY—Mr. President, I appreciate most heartily the remarks of the other member from Dorchester, but I will simply say that I don't care, so long as I obtain protection for the women and children of my district, who is hurt. The people of my district are my first consideration, and everything else must stand aside.

The order was passed under suspension of the rule.

Later in the session Coun. GILBODY asked permission to have the following letters inserted in the record:

Boston City Council.

Council Chamber, April 5, 1927.

Fire Commissioner Eugene Hultman,  
Bristol Street, Boston, Mass.

Dear Commissioner,—Would you please be good enough to give me an estimated cost on the taxpayers caused by the Fire Department responding to alarms of fire at the so-called Victory road dump on Sunday and Monday last?

With kindest regards, I am,

Yours very truly,

GEORGE F. GILBODY.

City of Boston,

Fire Department, April 6, 1927.

Mr. George F. Gilbody,

City Councilor, Boston, Mass.

Dear Mr. Councilor,—In reply to your letter asking me in regard to the cost caused by the Fire Department responding to alarms at the so-called Victory road dump on Sunday and Monday last, I would say that it is impossible for us to give even an approximate idea of the cost of our apparatus responding to individual alarms, because so much of the expense of this department is irrespective of whether the apparatus is responding to alarms or not, and the fact that the cost of running the department would be practically the same, we will say, if we only had to respond to half as many alarms as we do at present.

I cannot answer your question with even a fair degree of accuracy.

Yours very truly,

E. C. HULTMAN,  
Fire Commissioner.

Placed on file.

#### WILCOX ROAD, WARD 16.

Coun. GILBODY offered the following:

Ordered, That the Board of Street Commissioners, through his Honor the Mayor, be requested to lay out and accept Wilcox road, Ward 16, as a public highway.

Passed under suspension of the rule.

#### FENCE FOR RINGER PLAYGROUND.

Coun. DOWLING offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide and erect a suitable fence on the northerly side of the Stanley A. Ringer Playground, Ward 21, from the property of the Andrew Jackson School to Gordon street, formerly Allston Heights.

Passed under suspension of the rule.

#### BLEACHERS, McCONNELL PARK.

Coun. McGRATH offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the erection of concrete bleachers with a seating capacity of 2,000 on McConnell Park, Dorchester.

Passed under suspension of the rule.

#### FLAGPOLE IN McCONNELL PARK.

Coun. McGRATH offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to erect a flagpole in McConnell Park, Dorchester.

Passed under suspension of the rule.

#### NONRESIDENT EMPLOYEES.

Coun. GUILD offered the following:

Resolved, That the Boston City Council is in favor of legislation amending chapter 31 of the General Laws, so that section 19 thereof shall read as follows:

"Section 19. In all work of any branch of the service of the commonwealth citizens of the commonwealth shall be given preference; and in all work of any branch of the service of any city or town therein, citizens of that city or town shall be given preference."

and by adding after section 43 thereof the following:

"Section 43A. Removal of domicile from the commonwealth, or from a city or town by which a person holding office or employment in the classified public service is paid, shall be deemed a just cause for removal from such office or employment, as provided in section 43."

Coun. GUILD—Mr. President, ordinarily I should ask to have this resolve referred to the Committee on Legislative Matters. In the present instance, however, the domicile of employees of the city having been discussed at considerable length already before this body and resolutions having been passed favoring the enforcement of a rule requiring that employees of the city shall be domiciled in the city, I am going to ask for a suspension of the rule and the passage of the order. The section of the statute referred to in this resolve—section 19 of chapter 31 of the General Laws—as it now stands provides for preference only to citizens of the Commonwealth. It reads as follows:

"In all work of any branch of the service of the Commonwealth or of any city or town therein, citizens of the Commonwealth shall be given preference."

It has occurred to me, and I think will occur to other members of the City Council as well, that what is good in the service of the Commonwealth is also good in the service of the City of Boston and in other cities and towns of the Commonwealth. If it is desirable that employees in the service of the Commonwealth be required to be residents of the Commonwealth, it is also desirable that employees and officials of the City of Boston shall be required to be residents of the City of Boston. The amendment which the resolution calls for, of section 19 of chapter 31 of the General Laws, looks to that thing. The other possible impediment which has been brought to our attention in connection with change of residence of municipal employees would arise where an employee moves his residence from the city. That question of removal is now dealt with in section 43 of chapter 31 of the General Laws. That section deals with the causes for removal of those who are



under the protection of the civil service laws. Omitting some of the words, it reads that:

"Every person holding office or employment in the classified public service of the Commonwealth, or of any county, city or town thereof, shall hold such office or employment and shall not be removed therefrom. . . . except for just cause."

Therefore, the suggestion contained in the resolve is that an addition be made to the General Laws of the state to the effect that removal of residence or domicile from the City of Boston shall be deemed a just cause for removal from office or employment by the city. There has been a diversity of opinion in regard to that particular matter. There are those who have held that, inasmuch as the statutes are silent with regard to whether or not that is a just cause, it shall therefore be interpreted as meaning that it is not a just cause. There is also the question whether a city or town can pass an ordinance covering the question of residence of employees of the city or town, in view of the silence of the acts of the Legislature on the subject. I myself feel that the silence of the Legislature on the subject does not warrant a conclusion in either direction, and that it is equally as plausible to conclude that we have the power to pass such an ordinance as that we have not. But the question can be settled by legislation. This matter having been gone into thoroughly by the Committee on Unemployment, who have given a great deal of attention to the whole subject, and it being a subject matter with which the members of the Council are thoroughly familiar, I would move at this time a suspension of the rule and the passage of the resolution.

The rule was suspended and the resolution was passed.

#### LEGISLATIVE COUNSEL FOR CITY COUNCIL.

Coun. GUILD offered the following:

Ordered, That his Honor the Mayor be requested to include in the budget for the current year a special appropriation of \$2,500 to pay for legislative counsel to represent the Boston City Council before the Massachusetts Legislature and committees thereof on all matters which the City Council shall direct.

Coun. GUILD—Mr. President, in the past year the Corporation Counsel has represented the city before the Massachusetts Legislature and committees of it, on divers occasions. The administration has had its special representative at the State House, representing the administration as distinguished from the city as a whole, at a salary, I am informed and believe, of \$5,000. There have been times when the City Council has needed to be represented before committees of the Legislature, and when members of the Council have been required to appear in person in order to represent from time to time the ideas of the City Council as perhaps distinguished from those of the Mayor or other branches of the administration. If it is reasonable for the administration to be represented at the State House on legislative matters, I think it is equally reasonable that the City Council should be represented. The order in question calls for the expenditure of but half the amount which, I am informed, has been expended this year by the Mayor's office in connection with such representation on Beacon Hill.

Coun. RUBY—Mr. President, if there is no objection on the part of the councilor who has just taken his seat, may I suggest that that order be referred to the Committee on Legislative Matters?

Coun. GUILD—I do not object, Mr. President.

Coun. GILBODY—Mr. President, I would make the same request, and would go even farther—not only having our individual counsel to represent us at the Legislature, but before committees, but having counsel, say at a salary of \$5,000 a year, who will give to the Council legal advice on all matters that may arise during the entire year. We all know that the Corporation Counsel at all times will render opinions agreeable to the Mayor of Boston, regardless of who he is, and I think the time has come when we should have counsel of our own. I would therefore unite in the request that such action be taken, except that I believe that it should go further, increasing the salary to \$5,000 a year and having counsel who will advise the City Council 365 days in the year, and I also feel that the matter should be referred to the Executive Committee at the present time.

Coun. GUILD—Mr. President, I am not certain that I would go as far as Coun. Gilbody suggests at the present time in his suggested amendment. I do feel that for the present the order as originally drawn should be sufficient, taking care of the question of legislative counsel for the few months of the year in which he would be obliged to serve.

Coun. GILBODY—Well, Mr. President, I will say that I am not really opposing the order as originally introduced. I am perhaps simply indulging in a little political chicanery in the remarks I have made for the record at this particular time.

Coun. GUILD—Mr. President, I have no objection of reference of the order to the Executive Committee.

The order was referred to the Executive Committee.

#### SOAP FACTORY, CHARLESTOWN.

Coun. GREEN—Mr. President, I would move that the papers relating to the soap factory in Charlestown, which have been placed on file, be taken from the files and referred to the Executive Committee.

President HEFFERNAN—There being no objection, the papers relating to the matter referred to will be taken from the files and referred to the Executive Committee.

The message and communications relating to the soap factory on Charles street in Charlestown, received on April 4 and placed on file, were taken from the files and referred to the Executive Committee.

#### RANDIDGE FUND OUTINGS.

Coun. DOWD offered the following:

Ordered, That the Commissioner of Penal Institutions be requested, through his Honor the Mayor, to allow no one who holds any public office, or who is a candidate for any public office, to have the direction of any of the outings provided for under the provisions of the Randidge Fund.

Coun. DOWD—Mr. President, my motive in presenting this order is that recently the money provided through the Randidge Fund for outings for children who are being taken care of by charitable organizations in the City of Boston have been turned over to men in public office and men running for public office, who have made a commercial proposition out of the same. I have in mind several men. I must say, giving due credit to members of the Boston City Council, that not one member of the Council has undertaken to exploit this fund, despite the fact that there have been men running for office who have taken advantage of the political opportunities afforded by the fund, inviting anywhere from ten to fifty of their own personal friends, men and women, to the island on such occasions, and thereby diverting from the children food and ice cream to which they were entitled. That has not been true of members of this Council, and I feel that the members of the Boston City Council do not desire to derive any political plunder from money set aside for the entertainment of the poor children, through the so-called Randidge Fund.

Coun. FITZGERALD—Mr. President, if there is no objection, I would like to have the matter referred to the Executive Committee, and Mr. Chapman called before us. He has charge of the matter, and let us find out how it stands.

The order was referred to the Executive Committee.

#### REPAVING OF I STREET.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the repaving of I street, South Boston, between First and East Sixth streets, with smooth paving.

Passed under suspension of the rule.

#### LOCKER BUILDING, FATHER BUCKLEY PLAYGROUND.

Coun. MAHONEY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to pro-

vide for the construction of a locker building and convenience station on the Father Buekley Playground, Third street, South Boston.

Passed under suspension of the rule.

#### REPAVING OF SHEPTON STREET, WARD 16.

Coun. GILBODY offered the following:

Ordered, That his Honor the Mayor request the Public Works Commissioner to repave Shepton street, Ward 16, with a smooth paving.

Passed under suspension of the rule.

#### CONCRETE BLEACHERS, COLUMBUS PARK.

Coun. LYNCH offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the erection of concrete bleachers with a seating capacity of 2,000 at Columbus Park, South Boston.

Passed under suspension of the rule.

#### WILLIAM D. LANCASTER SQUARE.

Coun. WILSON offered the following:

Ordered, That the intersection of Richmond, Sanford and Washington streets, Dorchester, be named William D. Lancaster square, to perpetuate the memory of the late Representative Lancaster whose public life was so unsparingly devoted to the service of the citizens of Boston, particularly with reference to the Morton street extension project.

Coun. WILSON.—Mr. President, it has been most gratifying to me to see come through from the Mayor's office a final appropriation and loan order which will mean the completion of the Dorchester end of the so-called Morton street extension, and it seems most appropriate, at this time, that this body, particularly the councilor from that district, make some recognition of the services of the late William D. Lancaster, to whose unsparing and tireless efforts in the Massachusetts Legislature, in 1925, the final putting through and success of this extension was finally due, and I would ask the suspension of the rule and the passage of this order at the present time.

The rule was suspended and the order passed.

#### RECESS TAKEN.

The Council voted, on motion of Coun. GILBODY, at 2.45 to take a recess. The members reassembled in the Council Chamber at 4.15 p. m.

#### EQUIPMENT FOR NEW NURSES' HOME.

The following was received:

City of Boston,  
Office of the Mayor, April 4, 1927.  
To the City Council.

Gentlemen,—I am advised by the Board of Trustees of the City Hospital that the new Nurses' Home will be ready for occupancy some time in July or early in August and that to provide the necessary furnishings and equipment for the home a loan appropriation of \$40,000 will be required. I accordingly submit herewith an appropriation order providing for the necessary amount and respectfully recommend its approval by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$40,000 be and hereby is appropriated to be expended by the trustees of the Boston City Hospital for Nurses' Home, Furnishing and Equipping, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following:

1. Report on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.:

Mrs. F. N. Carleton, Norfolk Hall, April 22; Lilla Frances Viles, Current Events Hall, April 30—that same be granted.

Report accepted; said permits granted under the usual conditions.

2. Report on resolutions (referred March 21) that the City Council opposes Senate Bill No. 251 and adheres to its position as expressed in resolution adopted January 17 in favor of a new courthouse to be built by City of Boston—that same be referred to the Committee on Legislative Matters.

Report accepted; said resolutions referred to the Committee on Legislative Matters.

3. Report on resolution (referred April 4) that City Council favors enactment of legislation authorizing the city to pay counsel fees and expenses for services rendered for Suffolk County Apportionment Commissioners—that same be referred to the Committee on Legislative Matters.

Report accepted; said resolution referred to the Committee on Legislative Matters.

4. Report on message of Mayor with communications (referred today) in re conditions at soap factory on Charles street, Charlestown, same having been taken from the files today—recommending that matter be referred to the Committee on Public Safety.

Report accepted; referred to the Committee on Public Safety.

5. Report on order (referred today) that the Commissioner of Penal Institutions be requested to allow no one who holds any public office or is a candidate for public office to have the direction of any outings provided for under provisions of Randidge Fund—that same ought not to pass.

Report accepted; said order rejected.

#### SOLDIERS' RELIEF.

Coun. ENGLERT, for the Committee on Soldiers' Relief, submitted report recommending passage of orders for payment of aid to soldiers and sailors and their families in the City of Boston for month of April.

Approved and ordered paid.

#### NURSES AT BOSTON CITY HOSPITAL.

Coun. FREELEY offered the following:

Ordered, That the Board of Trustees of the Boston City Hospital be requested, through his Honor the Mayor, to provide for the relief from duty for sixteen hours out of twenty-four, of nurses employed at the Boston City Hospital.

Coun. FREELEY.—Mr. President, I might say, in presenting this order, that the time has come, I feel, when the nurses at the Boston City Hospital should be given some sort of relief. In Chicago, St. Louis, Worcester and Springfield, the nurses work eight-hour shifts, and I feel that no one, whether they be male or female, is able to continue on in their service unless some sort of relief is granted after eight hours on duty, and I move you, sir, suspension of the rule and passage of the order.

The rule was suspended and the order was passed.

#### HIGH PRESSURE SERVICE, PARKER HILL.

Coun. FREELEY offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for high pressure fire protection service in the Parker Hill district, Roxbury, Ward 10.

Coun. FREELEY.—Mr. President, in introducing this order, in the past three years, on Iroquois street and Pequot street, up in the Parker Hill district, there have been fifty-five two-family houses of wooden construction built there, assessed anywhere from \$9,000 to \$11,000. A year ago, the Coca-Cola concern on Tremont street, handy to the Mission Church, had a fire. The Fire Department got there and they found they had only about thirty pounds of water pressure, and the building was practically demolished. After they



had seen their mistake, in about three or four weeks, they installed what they called high pressure, and I feel, for the protection of the hospitals on Parker Hill and the protection of the residents who live there on the hill, that high pressure water should be installed there, and I move you, sir, suspension of the rule and the passage of the order.

The rule was suspended and the order was passed.

#### ACCEPTANCE OF BOWDOIN TERRACE.

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept as a public highway Bowdoin terrace, Ward 14.

Passed under suspension of the rule.

#### COPIES OF CITY RECORD FOR CITY COUNCIL.

Coun. KEENE offered the following:

Ordered, That the Statistics Department be requested, through his Honor the Mayor, to furnish each member of the City Council with a bound copy of *City Record* for the year 1926.

Passed under suspension of the rule.

#### SIDEWALK ON GREENWICH STREET.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Greenwich street, both sides, between Dorchester avenue and Freeport street, Ward 15, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### MORTON STREET BRIDGE.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be and he hereby is respectfully requested to advise the City Council, through the Street Commissioners or other proper department heads, what provision, if any, has been made, or is being made, to provide for suitable reconstruction or widening of the Midland Division railroad bridge near the Morton Street Station incidental to the construction of the so-called Morton street extension at that point.

Coun. WILSON—Mr. President, with Coun. Wragg's able assistance, I want to make the statement that, at the present time, the powers that be are planning and starting to construct an 80-foot boulevard, sweeping across Blue Hill avenue and the Dorchester district, but when this boulevard, 80 feet in width, crosses the railroad near the Morton Street Station on the Midland Division, if present plans are carried out, the 80-foot street will narrow into practically a 30-foot width, which will be like sending the traffic over that boulevard through the waistline of an hour-glass, and it seems that some real vision at this time should insure that the traffic sweeping down on a boulevard of that width will not be stopped and the entire purpose of the boulevard negated by being forced through such a narrow passageway at the line of the railroad station.

The rule was suspended and the order passed.

#### OPPOSITION TO PUBLIC CONTROL OF ELEVATED.

Coun. DONOVAN offered the following:

Resolved, That the City Council of Boston hereby opposes the extension of public control of the Boston Elevated Railway Company.

Coun. DONOVAN—Mr. President, my reason for filing that order at this time is because this bill which is now pending in the legislature is of such vital importance to the people of Boston. You

and I know that, since the inception of the Public Control Bill, the trustees of the Boston Elevated Railway have, since their inception, favored the stockholders or directors of the Boston Elevated Railway to the discomfort of the people of Boston—or the car-riding public of Boston. Today, if the Governor of this Commonwealth means business—and I have been forced to admire the Governor for his stand in attempting to lower the rates on electricity within the confines of this Commonwealth—if the Governor of this Commonwealth means business, let him order the trustees of the Boston Elevated Railway to re-establish service on the Lexington street car line in East Boston, on the Bay View car line in South Boston, and on the car lines in the Codman Hill section of Dorchester, where it has discomforted and discommoded some hundred thousand people, the car-riding public of Boston. This will have a tendency, Mr. President, to clarify this situation. This will have a tendency to allow this Council to stand on their feet and assert themselves, and it will have a tendency to stop the members of the House and Senate from passing the buck to us city councilors. This will have a tendency to clarify the situation. It will put us on record as opposed to legislation which is a menace to public safety and to public service. I hope that there will be a suspension of the rule, and that this order will pass.

Coun. GUILD—Mr. President, I should favor, at this time, a reference of the matter to the Executive Committee. I understand, from the reading of the newspapers, that this is a matter which is fraught with a great many ramifications. I, myself, have not had the time to give any considerable study to it. I think that Coun. Donovan has probably given it a great deal of attention. I do not think that the City Council should hastily pass upon a matter of so much importance as this. It is a matter that is engrossing the attention of the Massachusetts Legislature, and has for a considerable number of days. I think that no injury can be worked if the matter is referred to the Executive Committee, and I so move.

The question came on suspension of the rule, and the rule was suspended. The question then came upon the passage of the order, and the order was passed.

#### WIRE TAPPING ON TELEPHONES.

Coun. McGRATH called up, under assignment No. 1 on the calendar, viz.:

1. Report of the Committee on Unemployment concerning wire tapping and listening in on telephones. (Document 49.)

The question came on the acceptance of the report of the committee.

Coun. McGRATH—Mr. President, I would like to say I moved that this report be printed as a public document because I felt from the number of letters and telephone calls I had received about it, that there were a great many subscribers in our city who are interested, and so on each councilor's desk, today, there is a copy of this partial report of the Committee on Unemployment which I think is self-explanatory. Now, to go back just a little, let me say that the only purpose of the original order which I introduced in the Council was to ask the Mayor, in the proper manner, to petition, with the City Council, for the Legislature to admit a bill at this time striking out section 102 which would prevent the legalizing of the method of the New England Telephone Company in listening in on telephone conversations. It was in an attempt to give protection to subscribers in this city and state that I took this means first of introducing the order. Since that time, sir, I have learned that, during the entire investigation by our Law Department of the increase in rates, that allowed \$10,000,000 to be exacted from the people of our state, our Law Department was listened in on by the New England Telephone and Telegraph Company, and they could anticipate its every action, and one of the members of the Law Department with whom I have spoken now sees why they were making a practically hopeless fight. He is a member of the Law Department now and was under the past administration, and if his Honor will refer to the Law Department he will find that every single action by this city, which cost our citizens thousands of dollars, was stolen from the people of the city by this company who listened in from 30 Federal street to



everything that our city was going to do. And so not even the people of the city, when they spend their money in an honest effort to get a proper deal by this corporation, are protected. I say now that, because of the fact that his Honor the Mayor has aligned himself on the side of the company, as against subscribers, because he vetoed this order, which was a simple one but yet a very necessary one, that our hands, so far as the Council is concerned, are tied, and the only thing I can say to all the subscribers of Boston, especially to lawyers and doctors who may have cases against the telephone company, to be careful, because they are listening in on your lines from 30 Federal street, and his Honor the Mayor won't help this Council in preventing that very sneaking and nefarious practice. So our hands are tied because he prefers to tie our hands. But, even though the Council as a whole may be stopped from acting in behalf of the people in this matter, all of the data we have compiled, starting with the bill in its inception of the Legislature, right up to the finish of this report, which contains the answer of the chairman of the Department of Public Utilities, who, when he says "to effectively enforce such an order made by this department would involve the employment of a very great number of inspectors," is practically saying, "We can't do it, we can't prevent it,"—I am going to take all the compiled data and I am going on behalf of the people of my district, at least, and place them in the hands of his Excellency the Governor, a man who is fearless against corporations, a man who will wage the people's fight against the special privilege class, and I am going to ask the Governor of this Commonwealth to prevent the Mayor from stifling the wishes of hundreds of telephone subscribers who are paying for protection and service and not getting it.

Coun. GUILD—Mr. President, I observe that this document is entitled, "Report of the Committee on Unemployment." At the time the Committee on Unemployment was appointed I was under the idea that it had to do with finding out what could be done to alleviate the situation in regard to unemployment. Now I am confronted with a report, rather elaborate, in regard to listening in on telephone lines, and the nefarious condition that exists there, and, while I am inclined thoroughly to agree with what the last speaker said in regard to the wickedness of such a situation, I do not quite see the connection with the unemployment situation and, therefore, sir, I should like to have him elucidate that point.

Coun. McGRATH—Mr. President, if the members of the Council will bear with me for a moment, because it will cause a repetition on my part to explain this, as I have explained it, as the records will show, before. When the order on unemployment was introduced by Coun. Green, a great part of the unemployment locally had been caused by the discharge of some 4,000 people by the New England Telephone and Telegraph Company, and while we were in committee, working on the unemployment situation so far as the New England Telephone Company had contributed to that situation, I was advised by a certain person that my line was being listened in on, as well as the lines of other members of the committee, one of which was your Honor's, Mr. President, for the purpose of ascertaining, if possible, where we were getting our information and, when I found that a committee appointed for any purpose was being hampered by a practice of the telephone company in listening in in order to find out where that information came from, and if they found it was from an employee to discharge that employee, or to threaten him with discharge, then I took up that phase of the situation which had to do with a meeting of a duly constituted committee of this Council. We had a right to be meeting there, and they had no right to be listening in, and I think the history of this thing proves that, although the charges which were made were startling, no one, up to this time, in the employ of the company has denied it, and, although individuals have been accused, no official has denied it. I felt, when we went through with this proposition, which was subsequent to the employment meeting, that we were acting within the jurisdiction of the committee in a situation which had cropped up and over which we had no control, and I feel that if it had gone to this year's Legislature, sec-

tion 102 would have been stricken out and the Governor would have signed it, and it would have placed the New England Telephone and Telegraph Company on the same official footing as any other individual in the city and state, but, because it is necessary by law to petition through the Mayor and City Council, I took the duly authorized course of procedure in asking the Mayor to co-operate, and he refused, and that is why in this partial report of the Committee on Unemployment the initiative taken by the New England Telephone Company in the matter has caused us to digress, possibly, from the unemployment situation.

The report of the committee was accepted.

#### PLAYGROUND FOR WEST END.

Coun. FITZGERALD offered the following:

Ordered, That the sum of \$150,000 be and the same is hereby appropriated, to be expended under the direction of the Park Commission, for the purchase of land for playground purposes in the West End section of Ward 3, and that to meet said expense the City Treasurer be authorized to issue, from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

#### ABANDONED TRACK LOCATIONS OF ELEVATED.

Coun. FITZGERALD offered the following:

Ordered That the Board of Street Commissioners be requested, through his Honor the Mayor, to furnish the City Council with a list of the streets in Ward 3 where track locations of the Boston Elevated Railway Company have been abandoned and to inform the Council as to what steps may be necessary to cause the removal of the tracks in said locations.

Passed under suspension of the rule.

#### IMPROVEMENTS IN CHARLESTOWN PLAYGROUNDS.

Coun. GREEN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the erection of a concrete handball court at the Sullivan Square Playground, that the park at Charlestown Heights be placed in suitable condition and that improvements be made and showers installed in the building located thereon, that a locker building be erected on the Barry Playground, and that the Emmons Playground be enlarged.

Passed under suspension of the rule.

#### PAVING OF FORBES STREET.

Coun. GUILD offered the following—That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Forbes street, Wards 10 and 19.

Passed under suspension of the rule.

#### NONRESIDENT EMPLOYEES.

Coun. GUILD offered the following:

Ordered, That the Legislative Committee of the Boston City Council draft, and introduce into the Massachusetts Legislature at its next session, a bill for the amendment of chapter 31 of the General Laws, in accordance with the resolve this day passed.

Referred to the Committee on Legislative Matters.

GREATON AND PARKVALE ROADS, WEST  
ROXBURY.

Coun. KEENE offered an order:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Greaton road and Parkvale road, West Roxbury.

Passed under suspension of the rule.

SWINGS, MICHAEL PERKINS SCHOOL.

Coun. LYNCH offered an order:

Ordered, That the Schoolhouse Commission be requested, through his Honor the Mayor, to provide for the erection of swings in the yard of the Michael Perkins School, South Boston.

Passed under suspension of the rule.

COMMUNICATION FROM INTER-  
NATIONAL PAVING CUTTERS' UNION  
LOCAL NO. 169.

A communication was received from local 169 of International Paving Cutters' Union calling

attention to unfair conditions existing under DeSteffano's contract on Medford street, Charlestown, and asking for a hearing on the matter.

Coun. GILBODY moved reference to the Committee on Unemployment.

Coun. GREEN—Mr. President, for the information of the gentleman who has just taken his seat, I might say that I spoke to Mr. Sullivan, after receiving this communication from that gentleman, and it appeared that the trouble had been adjusted, the parties had gotten together and everything is all straightened out; they had a working agreement, a gentlemen's agreement, and every thing was all right now.

The communication was referred to the Committee on Unemployment.

GENERAL RECONSIDERATION.

Coun. GREEN moved reconsideration of all business transacted at the meeting, hoping that the same would not prevail.

Reconsideration was refused.

Adjourned, at 4.40 p. m., on motion of Coun. KEENE, to meet on Monday, April 18, at 2 p. m.





## CITY OF BOSTON.

## Proceedings of City Council.

Monday, April 18, 1927.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President HEFFERNAN in the chair and all the members present, except Coun. Dowd, Freeley and Gilbody.

## FIRE COMMISSIONER AND CHAIRMAN OF SCHOOLHOUSE COMMISSION.

Coun. McGRATH—Mr. President, I ask unanimous consent to introduce an order at this time.

President HEFFERNAN—There being no objection, the order will be received.

Coun. McGRATH offered the following:

Ordered, That the Clerk of Committees be directed, in the name of the City Council, to request the Fire Commissioner and the chairman of the Schoolhouse Commission to appear before the Executive Committee of the City Council this afternoon at three o'clock.

Passed under suspension of the rule.

## VETO OF BOSTON MOTOR TOURS COMPANY LICENSE.

The following was received:

City of Boston,  
Office of the Mayor, April 13, 1927.  
To the City Council.

Gentlemen,—I return herewith the petition of the Boston Motor Tours Company for license to operate buses from Boston to Fall River. Under date of December 8, 1926, I vetoed a similar petition and it does not seem to me that there has been sufficient change in the situation from that time to the present to sustain a different course of action.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

## SALARY OF BUDGET COMMISSIONER.

The following was received:

City of Boston,  
Office of the Mayor, April 18, 1927.  
To the City Council.

Gentlemen,—I transmit herewith an amendment to the Revised Ordinances of 1925 which will establish the salary of the Budget Commissioner at the level of \$6,500 a year.

The duties of the Budget Commissioner involve an unusual degree of discretion and good judgment which are not fully represented by the present salary of \$6,000 a year.

I am strongly of the opinion that this salary ought to be increased by at least \$500 and therefore ask your favorable consideration for the accompanying order.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston.  
In the Year Nineteen Hundred and Twenty-Seven.  
An Ordinance Concerning the Salary of the Budget Commissioner.

Be it ordained by the City Council of Boston, as follows:

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the budget commissioner by striking out the words "six thousand" and inserting in place thereof the words "sixty-five hundred."

Referred to the Committee on Ordinances.

## BUDGET FOR 1927.

The following was received:

City of Boston,  
Office of the Mayor, April 18, 1927.  
To the City Council.

Gentlemen,—I submit herewith my budget recommendations for the City of Boston for the fiscal year 1927 in full segregated form, in substitution for the lump sum recommendations submitted on January 28, 1927.

Last year the statutory tax limit for general municipal purposes was fixed by the Legislature at \$14 per thousand. This year, after an intensive survey and study of the estimates submitted by department heads and after reducing these estimates by approximately \$2,000,000, I requested that the Legislature fix for this year a tax limit of \$13.50 per one thousand dollars. After a series of hearings on my request, the Legislative Committee on Municipal Finance unanimously recommended that the tax limit for this year be fixed at \$13 per thousand. This recommendation is now law and the budget herewith submitted is based on a tax limit of \$13 per thousand. The reduction of 50 cents in the limit made by the committee has made necessary a further reduction in departmental estimates of approximately \$900,000, so that the budget for municipal purposes as here submitted represents a total reduction of approximately \$2,900,000 from the original estimates submitted by department heads.

In reducing departmental estimates by such a large amount, it has been necessary to curtail, and in some cases eliminate, services to which the citizens of this community are reasonably entitled. In my opinion, however, it is wiser to follow this policy than to adopt a radical and unsound method of financing which would give an advantage but for one year and thereafter seriously impair the financial standing of the city.

This budget is the twelfth of its kind to be submitted since the adoption of the segregated budget plan. In point of time, it is the latest of the entire series to be submitted to the Council, but it is submitted at the earliest moment possible under the law which is chapter 243 of the Acts of 1927, effective only last Monday.

Under the provisions of chapter 320 of the Acts of 1889, departments may spend, prior to the passage of the budget, "one third the entire amount appropriated for the department for the previous year." With one third of the year practically over, many departments are now at the point where their expenditures must cease. It is therefore desirable that the budget receive immediate consideration by your honorable body and I respectfully recommend its adoption.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

## APPROPRIATIONS AND TAX ORDERS FOR THE FINANCIAL YEAR 1927.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1927, for performing the duties and exercising the powers devolved by statute or ordinance, or by vote of the City Council during the year, upon the City of Boston or County of Suffolk or the departments or officers thereof, and to meet their obligations for interest on debt, sinking fund requirements and maturing debt not provided for by sinking fund, the respective sums of money specified in the tables and schedules hereinafter set out be and the same are hereby appropriated for the several departments and for the objects and purposes hereinafter stated.

Ordered, That the appropriations for Water Service, current expenses and the payment to the state under the provisions of chapter 488 of the Acts of 1895, and acts in addition or amendment thereto, and for the interest and debt requirements or for loans issued for water purposes be met by the income of said works and any excess over income from taxes; that the appropriation for Printing Department be met by the department income and any excess over income from taxes; and the appropriation for *City Record* be met by the income of said publication and any excess over income from taxes; that the other appropriations hereinafter specified be met out of the money remaining in the treasury at the close of business on December 31, 1926, exclusive of the money raised by loan or needed to carry out the require-

ments of any statute, gift, trust or special appropriation, and by the income of the financial year beginning January 1, 1927, and taxes to the amount of \$29,874,523.57 and that said amount be raised by taxation on the polls and estates in the City of Boston.

Ordered, That all sums of money which form no part of the income of the city, but shall be paid for services rendered or work done by any department or division for any other department or division, or for any person or corporation other than the City of Boston, be paid into the general treasury, and that all contributions made to any appropriation be expended for the objects and purposes directed by several contributors thereof.

Ordered, That all taxes raised to meet the appropriations of the city and all taxes assessed for meeting the city's proportion of its state tax for the year 1927, or for any other taxes or assessments payable to the Commonwealth, be due and payable on the fifteenth day of September, 1927; that

interest shall be charged on all taxes remaining unpaid after the second day of October, 1927, in accordance with the provisions of chapter 59, section 57, of the General Laws, until paid, except the taxes assessed upon shares of national banks, which shall bear interest at the rate of 12 per cent per annum from the fifteenth day of September, 1927, until paid; and that all interest which shall have become due on taxes shall be added to and be part of such taxes.

Ordered, That except as the appropriation for any purpose or item shall be increased by additional appropriations or transfers lawfully made, no money shall be expended by any department for any of the purposes or items designated in the tables and schedules hereinafter set out in excess of the amount set down as appropriated for such specific purposes or item; and except as aforesaid, no salary or wages shall be paid in excess of the rate specified in said tables and schedules.

#### DEPARTMENT ESTIMATES AND AMOUNTS ALLOWED BY MAYOR FOR 1927.

|                                                                                  | Estimated.      | Allowed.        |
|----------------------------------------------------------------------------------|-----------------|-----------------|
| Art Department.....                                                              | \$1,530 00      | \$625 00        |
| Assessing Department.....                                                        | 322,855 00      | 309,452 85      |
| Auditing Department.....                                                         | 77,787 00       | 74,770 71       |
| Boston Retirement Board.....                                                     | 21,312 00       | 19,978 07       |
| Budget Department.....                                                           | 11,111 66       | 11,107 00       |
| Building Department.....                                                         | 259,670 59      | 257,194 34      |
| Board of Appeal.....                                                             | 12,095 00       | 9,653 33        |
| Board of Examiners.....                                                          | 5,457 50        | 4,857 50        |
| City Clerk Department.....                                                       | 55,240 92       | 52,411 66       |
| City Council.....                                                                | 67,550 00       | 67,000 00       |
| City Council Proceedings.....                                                    | 12,750 00       | 12,000 00       |
| City Documents.....                                                              | 48,000 00       | 43,000 00       |
| City Planning Board.....                                                         | 33,200 00       | 33,024 13       |
| Collecting Department.....                                                       | 223,341 00      | 208,695 35      |
| Election Department.....                                                         | 201,908 75      | 200,204 28      |
| Finance Commission.....                                                          | 50,000 00       | 50,000 00       |
| Fire Department.....                                                             | 4,585,519 00    | 4,277,411 22    |
| Wire Division.....                                                               | 107,487 57      | 105,356 16      |
| Health Department.....                                                           | 832,438 74      | 837,607 10      |
| Hospital Department.....                                                         | 2,132,212 71    | 2,066,179 37    |
| Sanatorium Division.....                                                         | 550,015 06      | 403,885 29      |
| Institutions Department:                                                         |                 |                 |
| Central Office.....                                                              | 57,465 00       | 54,838 18       |
| Long Island Hospital.....                                                        | 524,742 76      | 515,608 43      |
| Child Welfare Division.....                                                      | 178,880 84      | 168,635 08      |
| Steamer "George A. Hibbard" and launch "Edith S. Wilkin" ("James J. Minot")..... | 36,784 97       | 34,583 72       |
| Rainsford Island, Care of.....                                                   | 5,200 00        | 3,500 00        |
| Law Department.....                                                              | 96,244 00       | 90,927 47       |
| Library Department.....                                                          | 1,225,992 00    | 1,104,569 00    |
| Licensing Board.....                                                             | 34,893 00       | 34,158 00       |
| Market Department.....                                                           | 17,588 32       | 17,706 94       |
| Mayor, Office expenses.....                                                      | 91,933 69       | 86,119 97       |
| Public Celebrations.....                                                         | 75,000 00       | 65,000 00       |
| Park Department.....                                                             | 1,690,777 00    | 1,618,183 46    |
| Cemetery Division.....                                                           | 193,126 66      | 170,788 78      |
| Police Department.....                                                           | 5,657,074 00    | 5,550,453 23    |
| Public Buildings Department.....                                                 | 612,666 56      | 548,790 15      |
| Public Welfare Department:                                                       |                 |                 |
| Central Office.....                                                              | 1,842,997 83    | * 109,643 80    |
| Temporary Home.....                                                              | 10,718 00       | 10,664 00       |
| Wayfarers' Lodge.....                                                            | 21,153 00       | 20,143 93       |
| Public Works Department:                                                         |                 |                 |
| Central Office.....                                                              | 92,292 33       | 88,097 55       |
| Bridge Service.....                                                              | 483,907 97      | 474,651 81      |
| Ferry Service.....                                                               | 546,297 30      | 547,038 06      |
| Lighting Service.....                                                            | 1,003,592 00    | 974,597 54      |
| Paving Service.....                                                              | 1,997,961 00    | 1,860,678 74    |
| Sanitary Service.....                                                            | 3,373,275 99    | 3,197,491 43    |
| Sewer Service.....                                                               | 729,628 12      | 698,720 43      |
| Registry Department.....                                                         | 52,271 00       | 52,554 78       |
| Reserve Fund.....                                                                | 500,000 00      | 475,000 00      |
| Sinking Funds Department.....                                                    | 3,400 00        | 3,400 00        |
| Soldiers' Relief Department.....                                                 | 468,775 00      | 342,316 96      |
| Statistics Department.....                                                       | 15,693 03       | 14,843 05       |
| Street Laying-Out Department.....                                                | 195,373 32      | 185,608 01      |
| Supply Department.....                                                           | 46,808 50       | 45,416 22       |
| Treasury Department.....                                                         | 66,350 00       | 64,347 27       |
| Weights and Measures Department.....                                             | 52,864 85       | 44,974 63       |
| Bridges, Repairs, etc.....                                                       | 220,000 00      | 100,000 00      |
| Ferry Improvements, etc.....                                                     | 25,000 00       | 25,000 00       |
| Granolithic Sidewalks.....                                                       | 200,000 00      | 50,000 00       |
| Reconstructing and Repairing Streets by Contract.....                            | 1,000,000 00    | 250,000 00      |
| Street Signs.....                                                                | 25,000 00       | 25,000 00       |
| Reconstructing and Repairing Parkways and Roadways by Contract.....              | 75,000 00       | 25,000 00       |
|                                                                                  | \$33,158,210 55 | \$28,793,463 98 |
| Amount previously recommended for Public Welfare Department.....                 |                 | 1,730,000 00    |
| Salary increases inserted after submission of estimate.....                      | 148,869 00      |                 |
|                                                                                  | \$33,307,079 55 | \$30,523,463 98 |

|                                             | Estimated.            | Allowed.              |
|---------------------------------------------|-----------------------|-----------------------|
| City Debt Requirements.....                 | \$7,670,775 21        | \$7,670,775 21        |
| Printing Department.....                    | \$458,123 35          | \$451,825 17          |
| City Record, Publication of.....            | \$38,442 20           | \$38,442 20           |
| Public Works Department, Water Service..... | \$1,608,071 32        | \$1,547,778 84        |
| Collecting Department, Water Division.....  | 59,387 50             | 59,097 76             |
| Water Service, Debt Requirements.....       | 264,513 67            | 264,513 67            |
| Service Mains and Relaying Mains.....       | 100,000 00            | 90,000 00             |
|                                             | <u>\$2,031,972 49</u> | <u>\$1,961,390 27</u> |

## RECAPITULATION OF AMOUNTS ALLOWED BY MAYOR FOR 1927.

|                                             |                 |                        |
|---------------------------------------------|-----------------|------------------------|
| From Taxes:                                 |                 |                        |
| For City Purposes within the tax limit..... | \$30,523,463 98 |                        |
| City Debt Requirements.....                 | 7,670,775 21    |                        |
| City total.....                             |                 | \$38,194,239 19        |
| From Revenue:                               |                 |                        |
| Printing Department.....                    |                 | 451,825 17             |
| City Record, Publication of.....            |                 | 38,442 20              |
| Public Works Department, Water Service..... | \$1,547,778 84  |                        |
| Collecting Department, Water Division.....  | 59,097 76       |                        |
| Water Service, Debt Requirements.....       | 264,513 67      |                        |
| Service Mains and Relaying Mains.....       | 90,000 00       |                        |
|                                             |                 | <u>1,961,390 27</u>    |
| Grand total.....                            |                 | <u>\$40,645,896 83</u> |

## BASIS OF ESTIMATES, 1926.

|                                                          |                        |
|----------------------------------------------------------|------------------------|
| Average valuation, \$1,780,945,466.15.                   |                        |
| \$14 on the thousand brings.....                         | \$24,933,236 52        |
| Estimated income.....                                    | 5,900,000 00           |
| Amount available for appropriation inside tax limit..... | <u>\$30,833,236 52</u> |

## BASIS OF ESTIMATES, 1927.

|                                                          |                        |
|----------------------------------------------------------|------------------------|
| Average valuation, \$1,841,057,566.16.                   |                        |
| \$13 on the thousand brings.....                         | \$23,933,748 36        |
| Estimated income and cash in treasury.....               | 6,589,715 62           |
| Amount available for appropriation inside tax limit..... | <u>\$30,523,463 98</u> |

## WAYS AND MEANS OTHER THAN TAXES FOR 1927.

An estimate of the ways and means, other than taxes, of meeting expenditures of the City of Boston and County of Suffolk for the year ending December 31, 1927.

|                                      |              |
|--------------------------------------|--------------|
| Boston Sanatorium.....               | \$77,000 00  |
| Building Department.....             | 85,000 00    |
| City Clerk Department.....           | 18,000 00    |
| Collecting Department.....           | 70,000 00    |
| Fire Department.....                 | 128,000 00   |
| Health Department.....               | 20,000 00    |
| Hospital Department.....             | 215,000 00   |
| Institutions Department.....         | 13,000 00    |
| Interest.....                        | 460,000 00   |
| Library Department.....              | 18,000 00    |
| Licensing Board.....                 | 55,000 00    |
| Market Department.....               | 147,000 00   |
| Mayor.....                           | 50,000 00    |
| Park Department.....                 | 102,000 00   |
| Pedlers' Licenses.....               | 45,000 00    |
| Police Department.....               | 21,000 00    |
| Public Buildings Department.....     | 450,000 00   |
| Public Welfare Department.....       | 313,000 00   |
| Registry Department.....             | 12,000 00    |
| Soldiers' Relief Department.....     | 45,000 00    |
| Street Laying-Out Department.....    | 75,000 00    |
| Weights and Measures Department..... | 13,000 00    |
| County of Suffolk.....               | 620,000 00   |
| Corporation Tax.....                 | 3,050,000 00 |
| Street Railway Tax.....              | 170,000 00   |

|                                                   |                |
|---------------------------------------------------|----------------|
| Available cash in treasury December 31, 1926..... | \$6,280,000 00 |
|                                                   | 309,715 62     |

\$6,589,715 62

Referred to Committee on Appropriations.

## PETITIONS REFERRED.

The following petitions were received and verally referred to the committees named, viz.:

## Claims.

Harold A. Brewster, for compensation for damage to automobile by street cleaning cart.

Charlotte E. Bryant, for compensation for damage to trunk at City Hospital.

Edmund A. Connelly, for compensation for damage to automobile caused by patrol wagon.

Catherine Costello, for compensation for injuries caused by an alleged defect at No. 1 Vine avenue, Roxbury.

Phyllis Ferrara, for compensation for injuries caused by an alleged defect in bath house at Bennet street.

Samuel A. Fuller, for compensation for damage to property at 461 Audubon road, caused by ash truck.

Mr. and Mrs. A. H. Gerstel, for compensation for damage to property at 131 Boylston street, caused by ash truck.

Grand Garden Restaurant, for refund on refuse tickets.

W. J. Jakstos, for refund on refuse tickets.

Ada D. Leach, for compensation for damage to clothing caused by being struck by mud and water thrown by city truck.

Frank A. MacCormack, for compensation for loss of property taken by ashmen from 70 Brookside avenue, Jamaica Plain.

Joseph V. Maddock, for compensation for loss of glasses while working at Dover Street Bridge.

Annie J. Meany, for refund of money expended in fixing pipes at 100 C street, South Boston.

Henry W. Merry, for compensation for damage to property at 206 Huntington avenue, caused by city wagon.

Patrick Saraceno, for compensation for injuries caused by an alleged defect at 52 Wall street.

Bessie Snyder, for compensation for injuries caused by an alleged defect at 10 Belcher lane.

Edward L. Williams, for compensation for damage to automobile caused by an alleged defect in Falmouth street.

Mrs. William Clarke, for compensation for damage to property at 667 East Fifth street, caused by backing up of sewage.



James H. Cunningham, for compensation for damage to automobile caused by collision with fire chief's car.

#### Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Basil Thorne, Whiton Hall, May 6 and 7.

Ruth I. Byrne, Hotel Somerset, April 30.

Mrs. N. A. Grenier, Catholic Union Hall, April 21.

Charles A. Stratton, Municipal Building, Roslindale, April 28.

#### Special Committee on Jitney Licenses.

Petition of Boston Elevated Railway to operate buses between Mattapan Station and junction of Hyde Park avenue and Ashland street.

Petition of Boston Elevated Railway to operate buses between Park square and North Station.

### REPORT OF FINANCE COMMISSION IN RE BUDGET.

The following was received:

Finance Commission of City of Boston,  
11 Beacon Street,  
Boston, Mass., April 18, 1927.

To the Honorable the City Council.

Gentlemen,—In response to your order requesting information on the budget estimates of the various city departments for the year 1927, the Finance Commission sends you herewith a report covering all the departments of the city. You will please note that this study was made on estimates presented by the departments to the Mayor before he made his allowances and that the reductions recommended by the commission were made on the following basis:

1. Elimination of obviously unnecessary employees.
2. Elimination of all vacancies.
3. Elimination of all salary increases excepting for the uniformed force, i. e., fire and police.
4. Elimination of new positions, excepting in the Hospital Department for two new buildings, and the Boston Sanatorium Out-Patient Building.
5. Elimination of travel to conventions.
6. Elimination of unnecessary major repairs.

The recommendations in the Street Laying-Out Department, the Statistics Department and the City Record were based on extensive studies of those departments made by the commission in 1926.

The commission has provided a copy for each member of the Council.

Respectfully submitted,

CHARLES L. CARR, Chairman.

Referred to the Committee on Appropriations.

### COMMUNICATION FROM METROPOLITAN DISTRICT COMMISSION.

A communication was received from the Metropolitan District Commission transmitting bond to the City of Boston from the Biggs Construction Company on contract for water pipes.  
Placed on file.

#### STORAGE AND SALE OF GASOLINE.

Notice was received from the Street Laying-Out Department of hearings on Monday, May 2, 1927, on petitions for storage and sale of gasoline as follows:

Florence K. Barry, 161 London street, Ward 1, 2,000 gallons.

Hans M. Johnson, 571-583 East First street, etc., Ward 6, 2,000 gallons.

Frances DeVirgilio, 675 South street, Ward 19, 1,000 gallons.

Gulf Refining Company, 5-9 Broadway, etc., Ward 6, 5,000 gallons.

Leighton & Barrie, 259 Albany street, Ward 3, 1,000 gallons.

Najeeb N. Meshaka, 5332-5340 Washington street, Ward 20, 2,000 gallons.

Shea-Stevenson Company, 421 Old Colony avenue, Ward 7, 2,000 gallons.

Samuel Skolnick, 410 Columbus avenue, Ward 4, 1,000 gallons.

H. A. Stevenson, 549 Washington street, Ward 22, 1,000 gallons.

Referred to the Executive Committee.

### COST OF CONSTRUCTION OF SIDEWALKS.

A communication was received from the Commissioner of Public Works submitting cost of constructing edgestone and artificial stone sidewalks on Farrington avenue, Ward 21, half cost being \$557.62, with accompanying order:

Ordered, That the persons named in the foregoing schedule be and the same are hereby assessed the sums set against their names as their proportionate parts of the cost of constructing sidewalks and edgestones in front of their estates bordering on Farrington avenue, Harvard avenue to Linden street, Ward 21, and the sum is ordered to be certified and notice be given to the persons as aforesaid.

The order was passed under suspension of the rule.

### PAVING OF WEST TREMLETT STREET.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving West Tremlett street, from Washington street to Whitfield street, Ward 17.

Passed under suspension of the rule.

### BUILDING LINE WASHINGTON STREET, DORCHESTER.

Coun. WILSON offered the following:

Ordered, That the Board of Street Commissioners, through his Honor the Mayor, be requested to establish forthwith a 92-foot building line along the easterly side of Washington street, Dorchester, adjacent to the present corner lot at the further intersection of Washington street with Columbia road.

Coun. WILSON—Mr. President, with reference to this order, there is at present being demolished at the corner of Columbia road and Washington street, Dorchester, an old building, and an opportunity is afforded to buy land for this necessary improvement at the corner of those streets. This is not my idea, but the idea of Mr. Uford of Dorchester, the one who originally favored the Shawmut Branch rapid transit plan, making Blue Hill avenue 126 feet, and other improvements in the district. It is his suggestion that while the land is available it would be well to take, when it can be obtained at a reasonable price, a piece which will enable a 30-foot widening at that point, a swinging corner at the corner of Washington street, going towards Boston, and turning into Columbia road in the direction of City Point.

The order was passed under suspension of the rule.

### DE LUXE BUS SERVICE.

Coun. WILSON offered the following:

Ordered, That the Jitney Committee of the City Council inquire into and report to this body with reference to recent announcement of the early inauguration of so-called "de luxe bus service" by the Boston Elevated Railway Company, between Coolidge Corner, Brookline, and Water street, Boston, and the matter of a reported 25 cent fare.

Coun. WILSON—Mr. President, during 1926 I was fortunate or unfortunate enough to be a member of the Jitney Committee of this body, and I distinctly remember at that time that the Jitney Committee of the City Council turned down flatly a petition filed by the Boston Elevated Railway Company which allowed a charge of 25 cents to our wealthy friends who live in Brookline for the privilege of being brought in de luxe buses into the congested district of Boston. I have just read in the papers the following, and it may or may not be authentic:

"De luxe bus service soon. Coolidge Corner to Water street with four stops. Announcement was made yesterday by Manager Edward Dana of the Boston Elevated that de luxe bus service will be inaugurated between Coolidge Corner, Brookline, and Washington and Water streets within the next few days, affording the passengers a seventeen-minute service from Brookline to the business section of downtown. There will be four stops to take on passengers in either direction, and the fare will be 25 cents."

I don't know, so far as the Elevated is concerned, whether the wish is father to the thought, or whether the petition is to be put into the City Council at an early date, or whether the petition has already slipped through, carrying with it the 25-cent fare, unknown to the members of this body. But, so far as I personally am concerned, I feel very strongly that before the Boston Elevated Railway Company is granted the privilege of running Pullman cars or de luxe buses, with cushioned seats, tufted leather easy chairs, beautifully upholstered, with gold mountings and other luxuries for our friends in Brookline to come into the streets of Boston in state, if they have money available it should be spent in furnishing the ordinary working men of Boston with more accommodations in the way of street cars, bad as they are, at 10 cents a throw. It seems to me this newspaper report must be erroneous, when it says that the Elevated management are at the present moment planning to furnish our banking friends in Brookline with 25-cent transportation in large de luxe buses to the corner of Washington and Water streets.

The order was referred to the Committee on Jitneys.

#### SIDEWALK, ON SHELDON STREET.

Coun. GUILD offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Sheldon street, both sides from Prospect avenue to Ashland street, Ward 19, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### SIDEWALK ON ROCKVIEW STREET.

Coun. GUILD offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Rockview street, west side, from St. John street 125 feet southerly, Ward 19, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### APPOINTMENTS OF CONSTABLES.

President HEFFERNAN, under unfinished business, called up No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor April 11, 1927, of constables reapportioned for the term beginning May 1, 1927, as contained in City Document No. 55.

President HEFFERNAN—The Chair would state that last year, in passing on these constables, it was the practice, if any member objected to any particular constable's name being acted upon at the time, to lay it on the table; and I would suggest at this time, before a vote is taken, that if there are any particular names that anyone wants to question, in order that the issue may be raised, such names be laid on the table and the others acted upon.

Coun. McMAHON—Mr. President, I would like at this time to refer the whole matter to the Executive Committee, to consider in their session this afternoon. I think there are quite a few names there that ought to be looked into. With the performance of some of these constables that was

brought to our attention last year, I think we should look into the list carefully.

The matter was referred to the Executive Committee.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President HEFFERNAN called up, under unfinished business, No. 2 on the calendar, viz.:

2. Action on appointments submitted by the Mayor April 11, 1927, of minor officers paid by fees, as contained in City Document No. 56.

The question came on confirmation. Committee, Coun. Green and Dowling. Whole number of ballots 16, and the appointments were confirmed, yeas 16, nays 0.

President HEFFERNAN called up, under unfinished business, No. 3 on the calendar, viz.:

3. Action on appointments submitted by the Mayor April 11, 1927, of the following-named persons to be constables: Michael J. Shields, James G. Curran, John Falvey, Richard F. Lombard, Philip C. Wolff, Samuel Semiansky and Louis L. Dubrow.

The question came on confirmation. Committee, Coun. Wilson and Mahoney. Whole number of ballots 16, and the appointments were confirmed, yeas 16, nays 0.

#### LEASE TO DORCHESTER POST NO. 498.

President HEFFERNAN, under unfinished business, called up No. 4 on the calendar, viz.:

4. Ordered, That his Honor the Mayor be and he hereby is authorized in the name and behalf of the City of Boston, and in form satisfactory to the Law Department, to execute a lease to Dorchester Post No. 498, Veterans of Foreign Wars, of one room in the city building situated at the corner of Washington and Norfolk streets, in that part of Boston formerly called Dorchester, for a term not exceeding five years beginning with the passage of this order, at a rental of one dollar per annum.

On April 4, 1927, the foregoing order was read once and passed, yeas 15, nays 0.

The order was given its second and final reading and passage, yeas 17, nays 0.

#### RELEASE OF EASEMENTS.

President HEFFERNAN, under unfinished business, called up No. 5 on the calendar, viz.:

5. Whereas, The Board of Street Commissioners of the City of Boston by a resolve and order, approved by the Mayor of the said City of Boston, July 30, 1913, took an easement for sewer purposes in land in West Roxbury as shown on a plan marked "City of Boston, Plan No. 293, sewerage works, Vermont street and Roberts avenue, West Roxbury, July 15, 1913, F. O. Whitney, Chief Engineer, Street Laying-Out Department," on file in the office of said department; and

Whereas, There was awarded as damages caused by said taking to Thomas F. Welch and Max Jacobs the sums of two hundred thirty-two dollars (\$232) and twenty-nine dollars (\$29) respectively; and

Whereas, There was no award for damages caused by said taking to the owners of Roberts avenue, so called, a private way in said Roxbury, shown on said plan; and

Whereas, The Commissioner of Public Works of said City of Boston has by a communication dated January 3, 1927, to the honorable City Council declared that that part of said easement that was taken in the land of Thomas F. Welch and Max Jacobs and in Roberts avenue, so called, a private way as shown on said plan, is no longer required for public purposes;

Now, therefore, it is hereby ordered that upon the City of Boston receiving waivers of and releases for the damages caused by said taking to said above-mentioned property, satisfactory in form to the Law Department, the Mayor of said City of Boston be and he hereby is authorized in the name and behalf of said city, for a nominal consideration, to execute and deliver to Frank Holland, Alexandria Hammond and Max Jacobs, individually, as their interests may appear as owners of the hereinafter described parcels, releases satisfactory in form to the Law Department of said easement in the following described premises:



Northwesterly by land now or formerly of Clara E. Pinkham, twenty-seven and 95-100 feet; north-easterly by land now or formerly of Thomas F. Welch, eight and 2-100 feet; southeasterly by said land of Thomas F. Welch, nineteen and 45-100 feet; northeasterly again by the said land of Thomas F. Welch, seventy-two feet; again northeasterly by Roberts avenue, so called, a private way, forty feet; again northeasterly by land of Thomas F. Welch situated on the southeasterly side of said Roberts avenue, fifteen and 94-100 feet; again northeasterly by land now or formerly of Max Jacobs, fourteen and 6-100 feet; southeasterly by said land of Max Jacobs, eight feet; southwesterly by said land of Max Jacobs, fourteen and 54-100 feet; again southwesterly by land of Thomas F. Welch, fifteen and 46-100 feet; again southwesterly by said Roberts avenue, forty feet; again southwesterly by land of Thomas F. Welch situated on the northwesterly side of Roberts avenue, eighty feet; containing, as shown on said plan, 798 square feet in the parcel lying northwest of Roberts avenue, so called; 320 square feet in the parcel lying within Roberts avenue, so called; 126 square feet in the parcel lying southwest of Roberts avenue, so called; 114 square feet in the parcel on said Jacobs' land, lying southeast of said Welch's land, as all of said parcels are shown on said plan No. 293, sewerage works, hereinbefore referred to.

On April 4, 1927, the foregoing order was read once and passed, yeas 16, nays 0.

The order was given its second and final reading and passage, yeas 17, nays 0, viz.:

#### RECESS AWAITING APPROPRIATION REPORT.

Coun. PARKMAN—Mr. President, I believe the report of the Committee on Appropriations is on the two items relative to the Public Welfare Department, is outside, ready to come in at a moment, and, if there is no objection, I would move that we wait a few moments before going into executive session. I will move that we take a recess subject to the call of the Chair, for the purpose of receiving the report of the committee when it comes in.

The motion was carried, and the Council voted at 2.28 p. m. to take a recess, subject to the call of the Chair.

The members reassembled in the Council Chamber and were called to order by President Heffernan at 2.34 p. m.

#### APPROPRIATION FOR PUBLIC WELFARE DEPARTMENT.

Coun. PARKMAN, for the Committee on Appropriations, submitted report on message of Mayor with order (referred April 11) appropriating \$1,730,000 for Public Welfare Department—recommending passage of the order.

Coun. PARKMAN—Mr. President, I would like to say just a word on this appropriation. The investigation of the committee disclosed that the expenditures under F-10, in the appropriation for the Department of Public Welfare, was running for the first three months of the year at a rate which would aggregate about \$1,200,000 for the full year. It is possible that, as unemployment conditions improve, this amount may be reduced, but there seems to be no question but what the entire amount will very likely be exceeded. On the other hand, on the item of appropriation for mothers' aid, it seems quite probable that there will be a balance at the end of the year, that the expenditures will not quite equal the amount appropriated by this order. However, taking the two items together, the committee felt that the entire sum of \$1,730,000 would be used, and therefore recommends that the entire sum be appropriated.

The Report was accepted, and the order passed, yeas 16, nays 0.

#### REPORT OF STANDARDIZATION COMMISSION.

Coun. PARKMAN offered the following:

Ordered, That his Honor the Mayor be again respectfully requested to transmit to the City Council a copy of the report of the committee,

appointed to make a survey of the personal service rendered the city, known as the Standardization Commission.

Passed under suspension of the rule.

#### RECESS.

The Council voted at 2.44 p. m., on motion of Coun. Lynch, to take a recess, subject to the call of the Chair.

The members reassembled in the Council Chamber at 4.01 p. m., President HEFFERNAN in the chair.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. DOWLING, for the Executive Committee, submitted the following:

1. Report on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz: Basil Thorne, Whiton Hall, May 6 and 7; Ruth I. Byrne, Hotel Somerset, April 30; Mrs. N. A. Grenier, Catholic Union Hall, April 21; Charles A. Stratton, Municipal Building, Roslindale, April 28, that permits be granted.

Report accepted; said permits granted under usual conditions.

#### CONNECTING SCHOOLHOUSES WITH CENTRAL FIRE ALARM SYSTEM.

Coun. McGRATH offered the following:

Ordered, That the Fire Commissioner and the chairman of the Schoolhouse Commission be requested to appear before the Committee on Public Safety at 12 m. on Wednesday next, April 20, relative to connecting all Boston schoolhouses with the central fire alarm system.

Coun. McGRATH—Mr. President, the first order that I introduced today was a request that the Fire Commissioner and the chairman of the Schoolhouse Commission appear before the Executive Committee today to answer a statement that had appeared in the Boston newspapers with regard to the alarms in schoolhouses not being connected with the central fire alarm system, and carrying a story that when a teacher who rang in an alarm for an actual fire in her schoolhouse the children responded to the fire drill alarm and filed out, but that the engines did not respond. Unfortunately we were not able today to communicate with the Fire Commissioner who, I understand, has gone to a distant part of the city on business, but the chairman of the Schoolhouse Commission, Mr. Slattery, put in an appearance and said that, so far as that particular instance was concerned, it was the fault of the school teacher, in that she had not really rung in the alarm, so far as the central station was concerned, that as she failed to close the door there was lack of proper contact and therefore the engines did not respond. He placed the responsibility in that ease on the shoulders of the teacher rather than the system. He says, further, that every schoolhouse in Boston is directly connected with the central system, except one schoolhouse where the alarm box is just outside the door, but there are two systems of fire alarms in the schools, and that things are being changed over so that very soon there will be uniform systems throughout the schools of Boston. That will be the case within a period of a few weeks. The fact that the Fire Commissioner did not come to our meeting made it rather embarrassing. Therefore, I have introduced this later order, calling a meeting of the Committee on Public Safety on Wednesday at twelve, at which we hope to have both the Fire Commissioner and the Schoolhouse Commissioner, Schoolhouse Commissioner Slattery having already agreed to be there. The Schoolhouse Commissioner went on record as saying that the Fire Commissioner, as he understands, did not give out the statement that purported to come from him. I was not so much concerned with the question of whether he gave out the statement as with the question of whether the statement itself was true. Oftentimes, there are conditions existing that leak out and that cause a good deal of excitement in the public mind; and in this case it was not so much the statement itself, purporting to come from the Fire Commissioner, as the condition which might exist that concerned me; because the



Schoolhouse Commissioner himself admitted that there could be no situation that would seem so horrible to parents throughout the city in general as one where a school with a number of small children would not be connected with the fire alarm system, particularly in cases where, as the Boston Post says in an editorial, only the raising of a few ladders to a second or third story might be required to get the children out. One of the reasons why I have been so much concerned here is that when former Building Commissioner O'Hearn was fire commissioner of Boston, I rode down with him to a fire in the city of Peabody, at the time of the fire there. I was then a member of the Legislature, and I will never forget the sight that greeted my eyes at the bottom of the stairway of a school, where there were the charred and huddled bodies and bones of a number of children. The lives of those children would have been saved if the doors had opened outward instead of pulling in. The result was that the children became wedged in next to the door, which they could not open inwards because of the pressure of others behind them, and a barrier was thereby formed which prevented their getting out. If the door had swung out, those little children would have been saved, and at that time there was an order put through the Boston School Board that all such doors must swing out towards the street. So, as I say, the awful possibilities of fire in a school were thus vividly impressed upon my mind, by a scene that I have never been able to forget. It is one of those things that makes one remember and shudder. I shall await with interest the coming of the Fire Commissioner to the meeting Wednesday noon not entirely to find out whether he issued the statement that purported to come from him, but to find out whether the conditions that have been alleged to exist did exist. We have the story of the Schoolhouse Commissioner, but I will not be satisfied until the man to whom the story is attributed puts in his appearance, and until we know just what the situation is.

Coun. GUILD—Mr. President, I cannot see just what useful purpose is to be served by having Commissioner Hultman take up his time to come before a committee of the Council Wednesday noon, in view of the statement that has been made to us in the Executive Committee by Mr. Slattery this afternoon. Schoolhouse Commissioner Slattery stated that all steps have been taken and are being taken as rapidly as possible to have the fire alarm systems in the schoolhouses put on a uniform basis and made as nearly foolproof as can be done. The councilor says it is the situation that exists in which he is interested, and I think we now know what the situation is. We have been informed by the Schoolhouse Commissioner that all steps that can be taken are being taken to make the system uniform, and that the story as it appeared in the newspaper article is not correct. What actually occurred in the schoolhouse apparently occurred by reason of uniformity of practice in the schoolhouses, the fact, however, being that all schoolhouses are more or less connected with the central fire system. If that is the situation, and I understand it to be such, and if everything is now being done and will shortly be completed to bring about complete uniformity in the schools in this matter, I cannot see what useful purpose is to be served by asking Commissioner Hultman to come in and thrashing this all over again.

Coun. McGRATH—Mr. President, I believe I have been particularly temperate in my remarks, and I have just one word to add in view of what has been said by the councilor from Jamaica Plain. I believe if Mr. Hultman made this statement, if this statement is true, and he does not stand behind it, it is up to him to let us know that fact. I cannot imagine a more horrible situation that can confront fathers and mothers in the community than to lead them to think that there is this menacing situation in the schools in which their children are housed. This is a matter for which the councilor from Jamaica Plain, myself and every other elected official of the city is responsible, because we are sent here to take care of the physical welfare of the children in so far as it may be affected by lack of proper accommodations in the school buildings. If there are not proper facilities and accommodations, that is certainly a matter in which we should interest ourselves. If there is a man, Commissioner of the Fire Department, here who issues a statement of that type without any

authority or without anything to back it up, I for one want to know it, and I want Commissioner Hultman here Wednesday and I want Mr. Slattery here on Wednesday, sitting face to face, and through them I want every father and every mother in Boston to know whether their children are protected or not. I can then tell in fifteen minutes whether there was authority for the issuance of the statement, whether the condition does exist, whether it was suppressed in the Mayor's office or somewhere else. But I am placing paramount the interest of the children in the schools. I want to know primarily whether the conditions exist. I am not playing politics or attempting to get cheap publicity. I want to know whether the children in our schools are properly protected, and I will not listen to one side of an argument and let it go at that. I am waiting for the Fire Commissioner to come before the committee and tell us if he made the statement, or hear him deny it. I think that is a perfectly reasonable request, and I insist that my order be acted upon, sir.

The order was passed under suspension of the rule.

#### FINANCE REPORTS.

Coun. GREEN, for the Committee on Finance, submitted the following:

1. Report on order (submitted by the Mayor and referred April 11) appropriating \$40,000, to be expended by the trustees of the Boston City Hospital for nurses' home, furnishing and equipping, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount—that same ought to pass.

The report was accepted, and the question came on the passage of the order.

Coun. DOWLING—Mr. President, before the roll is called, may I ask what relation that has to the proposed million-dollar loan?

Coun. GREEN—Mr. President, for the information of the gentleman from Brighton, I will say that this is to equip the nurses' home of the City Hospital, which will be ready for occupancy about the last of July or the first of August. I will say, by the way, that it has nothing to do with Long Island.

The order was given its first reading and passage, yeas 16, nays 0.

2. Report on orders (submitted by the Mayor and referred April 11) for a loan of \$100,000, under authority of chapter 325 of the Acts of 1925, to be expended by the Board of Street Commissioners for Morton street improvement, and appropriating \$10,000 to be expended by the Board of Street Commissioners for Morton street improvement, in accordance with chapter 325 of the Acts of 1925, the amount so appropriated to be raised by taxation on the polls and estates in the City of Boston—that said orders ought to pass.

The report was accepted, and the orders were severally passed, yeas 16, nays 0.

3. Report on order (referred from last year) for a loan of \$18,000 to be expended by the Superintendent of Public Buildings for construction of a public convenience station in Codman square on land owned by the city—that the same ought to pass.

On motion of Coun. GREEN, the order was recommitted to the Committee on Finance.

4. Report on order (referred April 11) for a loan of \$150,000 for the purchase of land for playground purposes in the West End section of Ward 3, recommending the passage of the accompanying new draft:

Ordered, That the sum of \$250,000 be and the same is hereby appropriated, to be expended under the direction of the Park Commission, for the purchase of land for playground purposes in the West End section of Ward 3, and that to meet said expense the City Treasurer be authorized to issue, from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

The question came on the acceptance of the report and the passage of the order.

Coun. McGRATH—Mr. President, may we have that matter explained by the chairman of the committee?

Coun. GREEN—Mr. President, as I understand it, the engineers of the Park and Recreation Department went down to the West End, in this particular section, and found out that they could

not get anywhere, as they said, with an appropriation of \$150,000. So the man who introduced the order, Coun. Fitzgerald, appeared before the committee and stated—and I guess he was quoting the Park Commissioner when he did so—that it would probably cost \$250,000 to buy a site that would be available for playground purposes in that particular section of the city. On the strength of that we reported this order out.

Coun. BUSH—Mr. President, I rise to a point of information. Has that site been picked? Where is the proposed site?

Coun. FITZGERALD—Mr. President, I don't know where the site will be. All I know is that the people of my district have been clamoring for a great many years for a playground for the benefit of the district. It is the most congested district in the entire country, not excepting the east side of New York. There are more people housed there within a square mile than you will find in any other section of the country. We have one out of every twenty-two children of the City of Boston in that congested section. I previously introduced the order here asking for \$150,000. The Mayor of Boston, I understand, requested the Park Commissioner to look over the ground in that section of the city and the report was that for \$150,000 it would be impossible to find a site for the construction of a playground, the report being that they would have to have nearly \$300,000. I don't know what the attitude of the Mayor is to be on this proposition. We know that throughout his term of office he has repeatedly turned down playgrounds and municipal buildings. But, as we pay 43 cents out of every dollar of the taxation of the city in our ward, I feel that the people there should have some consideration. It may be of interest to you to know that every week some little child is run over in our congested streets, because there is no place to play, and is laid away in the cemetery. The congestion there is something appalling. Poor people are housed there in crowded quarters, with their families of children, some apartments containing twelve, fourteen, sixteen and eighteen families. They have no chance to play. The old Charlesbank gymnasium was erected away back in 1883. There is a small gymnasium there, known as the girls' gymnasium, which has in the past afforded a place for small children to go. But automobile traffic, as you know, has been increasing by leaps and bounds, and it has become impossible for little children to cross the streets with any safety so that they can use the Charlesbank Gymnasium. I have attempted to get the co-operation of the school authorities so that the children might use the school yards. But we all know their attitude upon that matter. I have a letter stating that the attendance at the Charlesbank Gymnasium has dropped off considerably because parents will not allow their children to cross the streets. Something should certainly be done. The Boston Post took the matter up editorially. The people representing the settlement house work in that district are in favor of the proposition. There is in the district plenty of dilapidated property that could well be torn down, using the land for playground purposes. The late George Parkman died and left to the city millions for the benefit of the citizens, and he was interested during his life to a large extent in property in the West End. What he left to the city, which is now being used throughout the city for park and playground betterments, came from that section. The great Massachusetts General Hospital has been obliged to use whatever land it could command for hospital purposes. I simply trust, fellow members, that his Honor the Mayor will give this matter his most careful and earnest consideration. We have no interest in any site; we don't care where any playground may be placed, so long as it is well situated for use. But, as I say, that is the most congested part of the city, and for the benefit of the children of that locality something should be done. Certainly the district is entitled to some consideration. Not a cent has been spent there by the City of Boston for playground purposes since 1883. The property there, of course, is assessed at a pretty high value, as you well know, and it is within a few minutes walk of the great business district. I don't know whether Mr. Long or the engineers are right or not. My idea is simply that there should be a playground there for the benefit of the children, and I believe there is no purpose for which the money of the

city can be better expended. I do not believe in these gigantic propositions. People have waited on the Mayor in regard to this matter, very substantial people, people like Mr. Lee, greatly interested in playground work and settlement house work. The Peabody House down there is interested in this sort of thing, and many philanthropic people have realized the need of work in the interest of the young people of that district. We have, for instance, the example of the late James J. Storrow, who supported, carried on an important enterprise there for the young men during his life, and who has left by his will a million dollars to be spent in connection with West End House. Along that line a building is about to be erected there containing a gymnasium, shower baths, and so forth, for the benefit of the members of West End House. That, however, only takes in certain elements in the community. The playground proposition appeals to everybody, universally, irrespective of race or creed. All are in favor of the proposition. I hope that we will pass this and that it will be put up to the Mayor for his signature or veto.

Coun. DOWLING—Mr. President, I think I would be the last member of the Council to oppose a playground in the West End section of the city, so well represented by the gentleman who has just finished his remarks. I do not believe today, however, that I could vote for the recommendation of the committee, and before I get through I am going to move that the original order be substituted for the order reported by the committee. Every member of this Council ought to be more or less familiar, after sixteen months of service here, with the mounting expenses of government. I was a little bit surprised when I found the relative situation of Boston and other large cities of the country in respect to matters of this kind, through a new source of information, and a reliable one, I believe. It goes into the question of how the big cities of the country are spending their money, and I discovered with some surprise that for recreation purposes in this city we spend \$3.14 for each person of population. New York spends \$1.08 for each person of population, Chicago, \$1.97; Philadelphia, \$1.49; Detroit, \$1.75; Cleveland, 59 cents; St. Louis, \$1.56; Baltimore, \$1.27; Pittsburgh, \$1; San Francisco, \$1.66, and Buffalo \$2.32. The expenditures of this city for recreation purposes, as I say, amount to \$3.14 for each person of population. It seems to me we should consider our situation very seriously in comparison with what others are doing. I am not so proud of Boston—and I have pride in Boston—that I feel that I can really stand up in the open anywhere else and say that our parks and playgrounds are better than those in other cities. They are as good as we can make them with the money we spend, and in some directions we are spending too much. I am going to have more to say on that point when we discuss the Park Department appropriation. What I am saying now may not appear to bear much relation to the request presented to the Council at this time, but it does have a relation just the same; and I simply wish to say that the Park Department comes in here each year, this year as in previous years and asks for lump sums of money, confers with the Budget Commissioner and the members of the Council, promises \$1,200, \$2,000, \$5,000, \$8,000, to be spent in different parks in our local communities, but really uses those communities merely for the purpose of getting a lump sum, which it spends where it wants to. An important thing for us to bear in mind is that Boston is now spending \$3.14 for each person of population for recreation purposes, far in excess of the amount spent by other cities, and it is not certainly being spent in a way that makes us boastful. I will now move, Mr. President, that the original order be substituted for the order reported by the committee. I will vote for the original order, but I cannot vote for the larger amount.

Coun. BUSH—Mr. President, I have listened with a great deal of interest to the pitiful plea presented by the councilor from Ward 3 (Coun. Fitzgerald) and, although I do not disagree with him as to the advisability of having more playgrounds in such a congested center as the West End, I cannot help feeling that the information we have received up to the present time concerning the matter is entirely inadequate as a basis for our action. In the first place, we don't know how large a playground is contemplated or what area of



land is available to be purchased with the sum that he proposes to spend for it. In the second place, he is not able to furnish us with any proposed site for the prospective playground. I am not in favor of making an appropriation of money at large to purchase a place, without regard to its size and without regard to its location. I would move that the matter be laid on the table until further information can be obtained.

The motion to lay on the table was declared carried. Coun. Fitzgerald doubted the vote and asked for a rising vote.

Coun. GUILD—Mr. President, I rise for information. Is this one of the orders which require two readings and a vote of fifteen in order to be passed?

President HEFFERNAN—The Chair will state that it is.

Coun. BUSH'S motion to lay on the table was lost, and the question came on Coun. Dowling's motion to substitute \$150,000 for \$250,000.

Coun. GREEN—Mr. President, I was going to request the Councilor from Brighton to withdraw his motion, and I would then move, sir, that we refer the matter back to the committee. If that is satisfactory to the councilor from Brighton, we can give the matter more study in the committee. I would move that the order be recommitted to the Committee on Finance.

President HEFFERNAN—The question comes on recommitment to the Committee on Finance.

Coun. McGRATH—Mr. President, just a word before we vote on recommitment. As set forth on page 245 of the records of the Council of last year, I introduced the following order:

"That the School Committee of the City of Boston be requested to consider the advisability of keeping open for play purposes the yards of all available schoolhouses, after school hours until sundown, and all day on Saturday."

We have a couple of hundred or more of potential community playgrounds, which might well open their gates after school hours, until eight o'clock at night, and on Saturdays and holidays, for the recreation of the children of the different communities. Later, as set forth, on page 328 of our records of last year, we received a communication from the School Committee on our order relative to the use of schoolyards for play purposes, stating that at present opportunities could not be extended without securing an additional appropriation from the Legislature. All I want to say is this that, so far as an additional appropriation is concerned, it would probably be a matter of not more than \$2,000 or \$3,000 to hire a superintendent to take care of the yards. I have no question that the district of the gentleman from Ward 3, on account of the increasing use of automobiles, needs more playground accommodation for small children. But that same situation confronts us in every district, Mr. President. What is happening in his district is happening in every district of the City of Boston, and there are in those districts numerous schoolyards for which enormous sums of the citizens' money have been appropriated, that could well be used at times outside of school hours, during the ten weeks of vacation in the summer, and on Saturdays and holidays, for just such purposes, providing healthful recreation and a chance to play with safety to the young children of our community. They could thus be used for the very children for whom they have been established and are being maintained. And so, when we speak of playgrounds, I think we ought to take some concerted action towards opening up the school yards of all the schools throughout the City of Boston, in the various communities. Let us as councilors get together on this matter; let us petition next year's Legislature, putting a plan before them and showing exactly what can be accomplished in every one of the twenty-two wards of Boston, simply by using a little common-sense.

Coun. FITZGERALD—Mr. President, I agree with what the councilor from Dorchester has stated, and I will also say that I have had occasion to take the same matter up with the School Committee. I have endeavored to have the school yards thrown open; but we all know the position that the School Committee takes. I am perfectly willing that the order should be recommitted to the Committee on Finance. I am merely endeavoring to do my duty to the people of my district. As far as endeavoring to select a site is concerned, that would certainly be a very foolish thing to do.

If I should in any way suggest where I wanted a site to be put, you can all imagine the hue and cry that would go up, the charge that the site had been selected and the property bonded, and that there was graft in it. Of course, that is a situation that we always have to face when we are trying to do anything in public life. I simply hope that if the order goes through a site will ultimately be selected that will be properly located for the benefit of the children of the district. Of course, we all know that in the past there has been a great deal of money made by the sale of land for schoolhouses, playgrounds and municipal buildings. Certain families have profited very greatly from that sort of thing, and there are families in this town today whose fortunes have been largely made by selling to the city land for schoolhouses and for public buildings and playgrounds. We know that it was a gigantic steal to place Station 2 at the foot of Milk street, and I could name other such cases in the past twenty years. There have been cases, for instance, where playgrounds were not properly placed, but were simply selected so that somebody could make something out of selling the land. Take the Randolph Street Playground; that is hardly ever used, is idle most of the time, and the land should be sold for some manufacturing purpose. It was placed, at the very end of the district. Another playground was laid out in the South End section a few years ago, in the wrong place, right alongside a church, and is hardly used by the people of the district. But here is a section that is absolutely overcrowded with poor people, many of them having large families of children, many of the heads of the families widows who are compelled to go out and scrub for a living, being compelled to leave their homes and go to work in the office buildings and other buildings of this city in the early hours of the morning. They don't want to send their children out to homes and farms in distant parts of the state. They are struggling for an existence, trying to keep their families together, and they would like to have near their homes a place where the children could play safely and have some room to enjoy themselves. I wonder how many of you read the New York papers, so that you are familiar with the situation in that town. I was interested in an article yesterday in the Sunday Globe, by Judge McQuade, in regard to the situation. He has made a study of the subject for 15 or 20 years, and is very much interested in this playground problem. As he states, you cannot expect a judge who has never been cold or hungry to pass understandingly on the ease of a boy or girl who might steal a loaf of bread when hungry, and you can never expect anybody who has not suffered from deprivation of one sort or another to be able to realize what it means, whether it be in the matter of food or a proper opportunity for outdoor recreation. As far as legislative bodies who are acting upon such matters are concerned, those men come and go, and most of them never knew what it was to be poor, never knew what it was to be deprived of things that children in our thickly congested sections need, never knew what it was to shine boots, to sell newspapers, to toil and sweat for an existence in their younger days. I plead for the poor people of my section, that they may have an opportunity to enjoy some of the privileges that those in the outlying districts have an opportunity to enjoy. Do you realize that there are houses in my district where the people can hardly see the light of day, where the gas is turned on during the daytime and burns away into the night? And do you realize that much of that property is owned by so-called philanthropists, millionaires, who never go near the property themselves but leave it to agents who beguile the amount that should be expended for repairs and improvements that are greatly needed? I sincerely hope that the matter will be recommitted, and that an opportunity will be given to the people of the district to have some needed facilities of this sort. The need is recognized and action is urged by Protestant ministers, Catholic priests, Jewish rabbis, by all interested in the welfare of the young and old people of the district, and I simply ask, in justice to the district, that people who are so earnestly interested may be given an opportunity to come before the committee and be heard, expressing their opinion. I realize that many members have left the Council. I did not realize that there would be opposition to the measure, or I would have been better prepared to bring out arguments and facts that would convince the members of the justice of the cause for



which I plead here today. I hope, under the circumstances, that the motion to recommit will prevail.

Coun. GREEN—Mr. President, I move you, sir, that we proceed to a vote.

Coun. DOWLING—Mr. President, may I ask the chairman of the Committee on Finance through you, sir, what arguments were presented to the committee which justified it in raising the amount from \$150,000 to \$250,000?

Coun. FITZGERALD—Mr. President, I might state that there has been an order before the committee that has never been acted upon, asking for \$75,000. I felt that there might be a playground established in the most congested part of the district, around by Poplar and Chambers streets, at a possible cost of \$75,000. But Mr. Long stated that under no conditions would he think of spending that small amount for such a purpose. I believe that the engineer also agreed with him. I do not agree with the engineer or with Mr. Long in that matter; I think that for \$100,000, certainly, we could find a suitable playground in that section. But, as there is a question of doubt, I would like to have the matter recommitted. I don't want to have it jeopardized. Then, Mr. Long and others can be brought before the committee, and we can obtain information as to how that amount was arrived at.

Coun. GREEN—Mr. President, might I say, for the information of the gentleman from Brighton (Coun. Dowling) and for my committee, that we accepted what we thought were the suggestions of the men best qualified as experts for the City of Boston, and on the strength of such reported out this order.

The report was accepted, and the order was re-committed to the Committee on Finance.

#### STUDY OF BUDGET FOR PARK DEPARTMENT.

Coun. DONOVAN offered the following:

Ordered, That the Finance Commission be re-

quested to furnish the City Council with its study of the budget allowances for the Park Department.

Coun. DONOVAN—Mr. President, my reason for introducing that order at this time is this: I have never had anything in common with the Finance Commission during my public career; but in the budget submitted by the Finance Commission for the benefit of the members of the Council, on page 59 we have the Park Department, with an itemized list of figures offered to the Council with practically no explanation. Last year we understood that there would be \$25,000 or \$50,000 available, that could be utilized in the different districts of members of the Council, and when we petitioned the Park Commission for some money for the parks in our district, we were told that there was no money available—until at the last of the session last year Mr. Long came in and told us that he had \$50,000 that he wanted to spend in Fenway Park. This is a matter of a good deal of interest to the members of the Council. We all have parks or playgrounds in our district that have been in existence since 1887, for which money from the Parkman Fund can be used, and if the Finance Commission will send in an itemized report we may be able to account for the different figures that we see in the budget. I hope the order will pass.

The order was passed under suspension of the rule.

#### GENERAL RECONSIDERATION.

On motion of Coun. PARKMAN, a general reconsideration of all action taken today was refused.

Adjourned at 4.40 p. m., on motion of Coun. MAHONEY, to meet on Monday, April 25, at 2 p. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Monday, April 25, 1927.

Regular meeting of the City Council in the Council Chamber, at 2 p. m., President HEFFERNAN in the chair and all the members present.

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council the Mayor submitted the following appointments for the term ending April 30, 1928:

Constables: William A. Iannone, 23 Fleet street, Ward 3; Caetano Lopes, 681 Shawmut avenue, Ward 9; James S. Duval, 9 Cortes street, Ward 9; Max Wortman, 185 Glenway street, Ward 14; Allen Libby, 11 Waban street, Ward 12; Nathan Mazur, 277 Humboldt avenue, Ward 12; Alexander Goodman, 21 Sonoma street, Ward 12.

Severally laid over a week under the law.

## REPORT OF STANDARDIZATION COMMISSION.

The following was received:

City of Boston,

Office of the Mayor, April 22, 1927.

To the City Council.

Gentlemen.—In reply to your request of April 18, 1927, I transmit herewith a copy of the report of the committee appointed to make a survey of the personal service rendered the city, known as the Standardization Commission.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

April, 1, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston,

Dear Sir,—Under date of April 3, 1926, the undersigned were appointed by your Honor as a committee "to make a survey of the personal service rendered to the city." In the months which have elapsed, the committee has endeavored in accordance with your expressed wish to ascertain "the character and duties of the various positions in the city," and to determine "just and equitable salary schedules."

The committee has met as a whole twenty-five times. In addition, the subcommittees have given consideration to particular groups, and independent investigations by individual members have been carried on. Conferences and consultations have been held with the heads of twenty-five city departments, while representatives of over forty groups have appeared before the general committee or its subcommittees.

As a result of these studies and investigations, the committee submits herewith a formal report covering briefly personnel conditions as they now exist in our city and a suggested plan for the classification of employees and standardization of salaries.

Respectfully,

CHARLES J. FOX, Chairman,  
JOSEPH P. MANNING,  
WILLIAM P. LONG,  
ERNEST R. SPRINGER,  
ELIZABETH M. HERLIHY,  
BERNARD C. KELLEY,  
WILFRED J. DOYLE.

(Annexed was the report referred to.)

Placed on file and ordered printed as a city document, on motion of Coun. PARKMAN.

## PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

## Claims.

Ella N. Andrews, for compensation for injuries caused by an alleged defect in Washington street, near R. H. White's.

Joseph C. Baillet, for compensation for injuries caused by an alleged defect at 104-108 Summer street.

Boston Fruit and Produce Exchange, for compensation for damage to property at South Market street, caused by broken water pipe.

T. C. Brooks Company, for compensation for damage to truck by city truck.

William J. Dacey, for compensation for damage to automobile by ash truck.

Samuel Davis, for compensation for damage to property at 92 Winthrop street, Roxbury, caused by ash team.

Nina M. Farr, for compensation for injuries caused by an alleged defect at Bunker Hill and Mystic streets.

Mabel E. Graves, for compensation for injuries and damage to clothing caused by an alleged defect in Broad street and Atlantic avenue.

Ella Grossman, for compensation for injuries caused by an alleged defect at Harrison avenue and Oswego street.

Anna G. Hurley, for compensation for collapse of boiler at 34 Lane park, Brighton, caused by water being shut off.

Angela M. Jansen, for compensation for injuries caused by an alleged defect at 17 Milton avenue, Dorchester.

Mrs. David J. Kelleher, for compensation for injuries caused by an alleged defect at 244 Boylston street.

Mary Kelleher, for compensation for injuries caused by an alleged defect at 92 Blackstone street.

Frazil Khan, for compensation for injuries received on Deer Island while prisoner there.

Thomas Kyron *et al.*, for compensation for injuries caused by city truck.

Julius Martin, for compensation for injuries caused by an alleged defect at 511 Columbus avenue.

Eleanor L. McAuliffe, for compensation for injuries caused by an alleged defect at Putnam and Henley streets, Charlestown.

James J. McGonagle, for compensation for injuries caused by fire apparatus.

Mrs. David McGrath, for compensation for injuries caused by an alleged defect at 11 Belmore terrace.

George Mearns, for compensation for damage to automobile by ladder truck of Fire Department.

Mrs. Charles Moren, for compensation for injuries caused by piece of chain from city truck.

Lawrence Munroe, for refund on refuse tickets.

Frances Navarro, for compensation for injuries received in Bowditch School.

Hyman Pelowsky, for compensation for damage to automobile on ferryboat.

Gordon D. Riedell, for compensation for damage to automobile caused by an alleged defect in Walk Hill street.

Samuel Slavin, for compensation for damage to property at 141 Homestead street, caused by ash truck.

Eva Smith, for compensation for loss of clothing at City Hospital.

Nellie Spofford, for compensation for injuries caused by an alleged defect at 18 Welles avenue.

J. VanVloten, for compensation for injuries caused by fire apparatus.

## Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Mrs. June Moody Fox, Jordan Hall, May 5.

Louise M. Barry, Bloomfield Hall, April 27.

Robert Livesey, St. Mary's Hall, April 25.

Massachusetts Auto Operators Association,  
Elks Ballroom, April 29.

#### REGISTRY OF DEEDS PAY ROLL.

The pay roll of the Registry of Deeds, for the period from March 21 to April 16, inclusive, amounting to \$12,792.27, was received and approved.

#### APPROVAL OF APPOINTMENTS.

Notices were received of the approval by the Civil Service Commission of the appointments by the Mayor of Edward T. Kelly of 278 Arborway, Jamaica Plain, as assessor, and Dr. Henry S. Rowen, of 30 Bennett street, Brighton, as trustee of Boston City Hospital. Placed on file.

#### STORAGE AND SALE OF GASOLINE.

Notice was received from the Street Laying-Out Department of hearings to be held on Monday, May 9, on petitions for storage and sale of gasoline, viz.:

W. F. Loughman, 40 Necco street, Ward 6, 3,000 gallons.

John F. Coleman, 900-910 Old Colony avenue, Ward 7, 5,000 gallons.

Standard Oil Company of New York, 144-148 West Broadway, etc., Ward 6, 3,420 gallons.

Referred to the Executive Committee.

#### LOCATION TO EDISON COMPANY.

Notice was received from the Metropolitan District Commission of location granted to the Edison Electric Illuminating Company of Boston for poles in Old Colony Parkway.

Placed on file.

#### LAYING OUT OF PERKINS STREET.

Coun. WRAGG offered the following:

Ordered, That the Street Commissioners be requested through his Honor the Mayor to accept and lay out Perkins street, Ward 18, as a public highway, and that the name of the street be changed to Plaindale street.

Passed under suspension of the rule.

#### PAVING OF SEDGWICK STREET.

Coun. GUILD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving Sedgwick street in Ward 19.

Passed under suspension of the rule.

#### PAVING OF GREENOUGH AVENUE.

Coun. GUILD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving Greenough avenue in Ward 19.

Passed under suspension of the rule.

#### PAVING OF ELM STREET.

Coun. GUILD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving Elm street in Ward 19.

Passed under suspension of the rule.

#### PAVING OF SEAVERNS AVENUE.

Coun. GUILD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving Seaverns avenue in Ward 19.

Passed under suspension of the rule.

#### ELECTION DEPARTMENT FEES.

Coun. GUILD offered the following:

Be it ordained by the City Council of Boston as follows:

Chapter 14 of the Revised Ordinances of 1925 is hereby amended by adding thereto the following:

Section 2. The election department shall, after payment of the fee hereinafter provided, issue to any registered voter of the City of Boston who applies therefor in person, a certificate, signed by one of the board of election commissioners and sealed with the seal of the department, stating the street address at which, and the ward and precinct in which the applicant is registered as a voter. Applicants for such certificates shall pay to the City Collector a fee of one dollar for each certificate to be issued; and the election department shall not issue any such certificates except in exchange for receipts of the City Collector for the payment of such fees.

Coun. GUILD—Mr. President, in introducing that ordinance, I will state that at the hearings before the Committee on Appropriations held during the past week, at the time when the statements for the Election Department were being made before the committee in regard to its budget for the coming year, it appeared that they issued through the year upwards of 2,500 certificates to various people who applied for them, which were used principally by those going into Canada, to have in their pockets to avoid payment of a \$10 head tax on their return. If those certificates are valuable to the people who go into Canada for that purpose, it seems to me that they should be valuable to the city as a means of revenue. I believe the revenue thus available to the city would be upwards of \$2,000 a year. In order to capitalize that possible asset to the city, I have introduced this ordinance.

The ordinance was referred to the Committee on Ordinances.

#### FEES CHARGED FOR PERMITS, ETC.

Coun. PARKMAN offered the following:

Ordered, That the Budget Commissioner be requested, through his Honor the Mayor, to make a survey and study of the fees charged for licenses, permits and services, of which the proceeds form part of the income of the city, and to report to the City Council what action is necessary to increase such fees sufficiently to represent a fair equivalent for the services rendered, and also to report such other recommendations as he may consider advisable.

Coun. PARKMAN—Mr. President, I have introduced this order because of the fact that the situation in regard to fees for licenses and permits issued by various city departments is a very antiquated one. The prices charged are obsolete, and are made under the authority of a very great number of statutes, ordinances and regulations. In all the city departments there is no question but what the fees represent a very small proportion of the cost of the service, and there seems to be no reason whatever why the fees should not be increased to represent an adequate remuneration for the service performed. The Commonwealth of Massachusetts has been enabled to keep the state tax down largely because of the new sources of revenue which have been found through increase in fees ob-



tained by the state. While there is not such an extensive possibility for the City of Boston, at the same time it seems to me a great deal of additional revenue can be found in that way without unfairness or injustice to any particular party, and with great advantage to the general public in the reduction of the tax rate. I have gathered together a good deal of information on this subject in the course of the last few months, and I understand that the Budget Commissioner at the present time is working to the same end. I have also had a letter from the Fire Commissioner containing his entire schedule of fees charged throughout his department, and a comparison of those fees with those charged in New York, which seem to show that the fees charged here are altogether inadequate and too low. I ask for a suspension of the rule and passage of the order.

The order was passed under suspension of the rule.

#### RESANDING OF L STREET BATHS.

Coun. LYNCH offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the resanding of the L Street baths.

Passed under suspension of the rule.

#### RECESS.

On motion of Coun. DOWLING, the Council voted at 2.25 p. m. to take a recess subject to the call of the Chair.

The members reassembled in the Council Chamber and were called to order by President HEFFERNAN at 3.48 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following reports:

1. Report on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.: Mrs. June Moody Fox, Jordan Hall, May 5; Louise M. Barry, Bloomfield Hall, April 27; Robert Livesey, St. Mary's Hall, April 25; Massachusetts Auto Operators Association, Elks Ballroom, April 29, recommending that permits be granted.

Report accepted; said permits granted.

Report on annual list of constables (referred April 18) recommending confirmation of the constables connected with official positions and to serve without bonds.

Coun. RUBY—Mr. President, I am opposed to the report, because I believe, in view of the fact that we have 300 or 400 constables, some of whom have served for twenty or twenty-five years, with reference to whom objections have never been made either to his Honor the Mayor, so far as we know, or to this Council, those men should not be very seriously injured in their business because of the fact that there are constables in this city against whom there have been grievances presented. There are many on this list who are family men, who have children dependent upon them for support, and whose actions have never been questioned. If we adopt this report this afternoon it means that no constable for the City of Boston can be approved before two weeks, it being one week before action can be taken by the body and another week before the bonds of the constables who may be confirmed can be accepted by the body. As I have said, I have noticed on the list, Mr. President, a number of men who have served for a number of years acceptably, observing faithfully their oath of office as constables, men who have maintained offices in Boston, employed a stenographer and who go to a considerable expense each month for the conduct of the office. We have heard from the Committee on Unemployment in recent weeks of 60,000 or 65,000 people who are un-

employed in this city today, and by taking the step proposed here by the committee we are adding 200 or 300 more to that list of unemployed, because we are performing an act that puts those men out of employment. They cannot do anything else. They are constables by profession, by trade, and while pursuing their trade have done nothing else. It is true that in the executive session we have heard of men who have usurped their power. For those men I hold no brief. I say if a man is unfit to be a constable of the City of Boston he should be stricken from the list. But I do not believe in striking off those men who have performed their duties acceptably and properly, simply in order to get at a few others against whom complaints have been made. I sincerely trust that in order to get at the few we will not strike at the many, the great majority who have filed their applications as constables not only in this year but in previous years, who have always served acceptably, and who are entitled to proper treatment at our hands. Every person on this list has filed a bond and has paid \$30 on this bond in previous years. So we have a right to assume that they have accepted the duties of the office and performed them in good faith until there is a complaint against any one of these constables, a grievance that should be examined into, we should let them alone if they are performing their duties acceptably. It was brought out in executive session that some men would not be hindered at all, and that the men for whom they serve papers will not be hindered at all. But you know that where these names are held up, it will not only inconvenience the appointees, but also lawyers who have occasion to use their services, and would otherwise have to appeal to the sheriff's office. So in holding up this list we would not only be striking at the 400 or so constables in Boston, but also at the thousands of lawyers and others who are employing them in good faith, and who wish to employ them. These lawyers wish to employ certain of these constables, and have the privilege of doing so today, and it is of mutual advantage to both the constables and the lawyers. So I believe when we suggest action which will mean firing them all on April 30, we have made a grave mistake.

Coun. GUILD—Mr. President, I believe the councilor is suffering under a grave misapprehension as to the terms of the committee report before us. As I read the report that has been presented, it is that we confirm the list connected with official positions and to serve without bond, and nothing more. The Executive Committee made no further report, although the matter was discussed in committee. So there is no report before us except that recommending confirmation of the list connected with official positions and to serve without bonds. So, while some of us might agree with the position taken generally by the councilor, I will simply say that the Executive Committee did not make a report which would lead to any action such as he suggests, and that that matter is not before us in any way, shape or manner. As I understand it, the report before us is confined to recommending confirmation of the list connected with official positions and to serve without bonds.

(At request of Coun. RUBY, the Clerk read the report.)

Coun. RUBY—Mr. President, I had in mind the other part of the report, which I understand is to be presented after this one. I was not opposing the confirmation of these constables.

The report was accepted, and the question came on confirmation of the list connected with official positions and without bonds.

Committee, Coun. Fitzgerald and Dowling. Whole number of ballots 15, yeas 18, and the appointments referred to were confirmed.

Coun. DOWLING—Mr. President, I wish to submit a report for the Committee on Ordinances.

Coun. RUBY—Mr. President, I rise for information. Do I understand that the Executive Committee is not reporting with reference

to those constables authorized to serve civil process and to file bonds?

President HEFFERNAN—The gentleman is correct in his understanding so far as any report of the committee is concerned.

Coun. RUBY—Mr. President, I rise for further information. As I understand it, in the executive session it was decided that certain action should be taken with reference to these other constables. Does that report come into the body today?

President HEFFERNAN—I would say to the gentleman that it does not. The only report of the committee is that which has been introduced by the chairman of the committee and which has been acted upon.

Coun. RUBY—Then Mr. President, I move that that part of the subject matter not reported upon by the Executive Committee today be taken from that committee and acted upon here this afternoon.

Coun. BUSH—Mr. President, I second that motion.

President HEFFERNAN—The question is on recalling from the committee the annual list of constables.

Coun. RUBY—Mr. President, I am not going to repeat the short speech I just made but will simply state that I understood in Committee it was intended that we should act today upon the constables who are supposed to serve process upon filing bonds. I hope, therefore, that that list will be taken from the committee and will be acted upon this afternoon.

Coun. RUBY'S motion to take the list of constables referred to from the committee was declared lost by a rising vote, two thirds of the members present not voting therefor.

#### PASSENGERS CARRIED ON JITNEYS.

Coun. DOWLING, for the Committee on Ordinances, to which was referred March 24, petition of Boston Elevated Railway Company *in re* changing ordinance relative to passengers carried on jitneys, submitted a report recommending the passage of the following ordinance:

Be it ordained by the City Council of Boston, as follows:

Chapter thirty-nine of the Revised Ordinances of 1925 is hereby amended by striking out section one hundred and one, and inserting in place thereof the following:

Section 101. The license issued for each motor vehicle shall fix and specify its seating capacity, exclusive of the operator. Passengers in excess of twenty-five per cent above the seating capacity of such motor vehicle shall not habitually be carried. Whenever the number of passengers regularly applying for transportation exceeds the number hereinbefore provided for it shall be the duty of the licensee to furnish sufficient additional facilities to carry such passengers. No person operating or in charge of any such vehicle shall take on or suffer or permit more persons to ride or to be carried thereon at any one time than is authorized by this section, or permit any person to stand or sit upon any running board, steps, fender, dash or hood thereof, or permit any person to ride on such motor vehicle outside the body thereof; provided, however, that in addition to the number of passengers which said motor vehicle by the terms of this section is permitted to carry, children under seven years of age may be carried therein, in arms, or seated on the laps of adult persons accompanying them, but no passenger with a child in arms or seated on the lap shall be permitted on any front seat of the vehicle.

Coun. WILSON—Mr. President, do I understand that this is the report of the Committee on Ordinances with reference to allowing Elevated passengers to stand in jitneys?

President HEFFERNAN—The gentleman is correct.

Coun. WILSON—Mr. President, as a member of the Committee on Ordinances, and as one who voted against the ordinance in committee, I wish at this time to express my

opposition to the passage of this ordinance which, as I understand it, would allow the Boston Elevated Railway Company to vary the present rule which requires all passengers in jitney buses to be seated by allowing a leeway so that seven or eight passengers can stand, thereby creating a new and perhaps more exclusive class of straphangers. I am opposed to the passage of this, in the first place, on the ground of safety. I consider that straphanging is sufficiently dangerous in vehicles running on street car rails, but to allow seven or eight bus passengers to stand when the seating capacity of the bus has been exhausted seems to me extremely dangerous, as the average passenger on such a bus is not only in danger of being thrown against the side of the bus on turns, but his head is within a few inches of the roof of the bus and there is that added danger. In the second place, while I was originally in favor of letting down the bars so as to allow a passenger or two to stand, it now appears to me a question of adopting one rule or the other, because if the Elevated Company is to be allowed to allow two or three or seven or eight more to stand, the obvious result will be that the jitney buses will be crowded with swaying passengers hanging to straps, bringing about a straphanging situation on the buses that will be even worse than the almost impossible situation that at present prevails on our Elevated system. I accordingly oppose the passage of this ordinance.

Coun. McGRATH—Mr. President, I feel, like the councilor who has just taken his seat, that this is an extremely improper thing for us to do at this time. If the streets of Boston were in such repair as to make it possible for jitney buses to go over them without the possibility of a person breaking his neck, that might be one thing; but can you picture a jitney bus going through some of the streets of this city, where the holes are big enough for the ordinary car to break a spring, where 25 per cent in addition to the seating capacity of the bus are standing? Coming down Adams street in Dorchester, I have stood up with the roof of the bus not 6 inches above my head, and in snowy weather, and with the bad and dangerous condition of the roads, with the great hollows in the street and the consequent shaking up of the passengers, certainly the danger is very seriously added to when you have a number of people standing up. Whenever we change an ordinance in this city we must be extremely careful, and here we have the Elevated coming in, not with a petition to run more buses, not with a petition to give better service, but with a petition that will enable them to still further crowd transportation conditions, which at the present time in the minds of many people are about as bad as they should be. We heard the councilor from East Boston come in and tell us about the big meeting in his district opposing buses, but desiring additional service from electric cars riding on the rails. With the crowding of our streets today and with the terrible condition that most of the streets are now in, it is now proposed that these buses be crowded to standing capacity. I think if the Council allows this to go through it will be establishing a precedent which will result in such bad conditions that those favoring it today will oppose it strongly a year from today. I heartily oppose it.

Coun. DOWLING—Mr. President, I must confess some admiration for the optimism of the Elevated Company when it proposes to carry as standing passengers 25 per cent of its seating capacity, in one of these buses, particularly in view of the objections stated by Coun. McGrath, I think, however, that the matter would be better understood if there is an opportunity for presentation of the arguments in favor of the report of the committee, which I am prepared to give now if necessary, but I think it would be better understood if the matter could be laid on the table, so that we may be able to give some attention to the objections. I move, therefore, that the report be laid on the table. The matter can then perhaps be taken up a week from now.

Several members addressed the Chair.



President HEFFERNAN—The motion to lay on the table is not subject to debate.

Coun. DOWD—Mr. President, do I understand that a motion to lay on the table for one week is not debatable?

President HEFFERNAN—That is not the motion. The motion is to lay on the table.

The report was laid upon the table by a rising vote, 10 to 8.

Coun. GILBODY—Mr. President, I would move that the committee on Ordinances be instructed to hold a public hearing in connection with this matter.

It was voted, on motion of Coun. GILBODY, that the Committee on Ordinances be instructed to hold a public hearing upon the matter.

#### FINANCE COMMITTEE REPORTS.

Coun. GREEN, for the Committee on Finance, submitted the following reports, viz.:

1. Report on order (referred April 26) on loan of \$18,000 to be expended for construction of convenience station in Codman square—that same ought to pass.

The question came on the acceptance of the report, and the order was given its first reading and passage, yeas 21, nays 0.

Assigned for fourteen days for final action.

2. Report on message of Mayor and order (referred March 21) for a loan of \$1,000,000 for new buildings and additions to existing buildings at Long Island, as well as for furniture and equipment for such new buildings and additions, all for Institutions Department purposes,—that the same ought to pass.

The report was accepted, and the question came on the passage of the order.

Coun. WARD—Mr. President, this question was brought before the Council some six weeks ago, and members of the body placed before the body their arguments against placing this hospital on Long Island. Other members arose and stated that they thought a chronic hospital should be placed on Long Island. I wish here to read an extract from Coun. McGrath's remarks at that time:

"Take those old souls back again into society, back from their exile, back where they can look through the fence and see the passing autoists, see something of what is going on in the world, and where they can be readily visited by their friends and by those who are interested in them. Give their old neighbors a chance to see them, and let them enjoy the human touch."

Mr. President, I repeat those remarks. It has been rumored around town that the Mayor has the necessary number of votes to put the order across and perpetuate the mistake made years ago of placing the almshouse at Long Island. If there are here the necessary votes to pass this order, I wish simply to say that there is only one other recourse for the citizens, and that is for ten citizens of this city to go before the Supreme Court and restrain the Mayor from expending \$1,000,000 for erecting a chronic hospital at Long Island.

Coun. GUILD—Mr. President, some weeks ago, as indicated by the councilor who has just spoken, this matter came before the City Council, and at that time there were various opinions expressed as to the amount of money necessary to take care of the immediate and pressing needs of the hospital at Long Island. The Mayor had stated that this amount of money was sufficient to take care of the immediate and pressing needs at Long Island, and that it should be voted, without regard to whether the hospital should be on Long Island or on the mainland. The Council at that time did not pass the loan order because, as I believe, a great many felt that the sum of \$1,000,000 was in excess of what was necessary to take care of the immediate and pressing needs at Long Island. Since that time the matter has been presented to the Council again, and has gone to the Finance Commission, and a careful investigation has been made by competent engineers employed

by the city and by the Boston Finance Commission as to the cost of the immediate and pressing needs at Long Island. The speaker who has just taken his seat made no reference to the question whether the items in the Mayor's order are for immediate and pressing needs although I understand he concedes that there are some immediate and pressing needs. The only question is whether \$1,000,000 is too much to take care of them. I think no one will say that the immediate and pressing needs at Long Island should not be taken care of. I understand that the engineer appointed by the Finance Commission and those designated or requested by his Honor the Mayor to make reports on the cost—Mr. Rourke and Mr. Norton—are agreed that the sum of \$1,000,000 will not cover the cost of all these immediate and pressing needs. I certainly feel that the opinions expressed by members of the Council on a previous occasion, that the amount was too large, ought to be governed by the opinions of these competent engineers. The question of the previous speaker in regard to ten citizens petitioning the Supreme Court carries very little weight in my mind, because it is my experience that ten citizens going before the Supreme Court must at least have a reason for doing so before the Supreme Court will issue any injunction against the expenditure of public money. I think the reports of the engineers on this question are sufficient to warrant anybody who had the opinion that \$1,000,000 was too large in altering that opinion to conform to the opinion of the experts who have looked into the case.

Coun. GREEN—Mr. President, I would like to ask the councilor from Roxbury a question,—if in his experience as a politician he ever received a complaint from a constituent of his about conditions on Long Island and, if he did, has he got that communication with him?

Coun. WARD—Mr. President, I wish to answer, first, that I have had no experience as a politician (laughter), but if I ever heard one complaint, I can readily say I have heard hundreds of complaints from Long Island, and I heard complaints when the committee invited me to visit Long Island. I walked around and heard complaint after complaint, and the only cry of those people was, "For God's sake, get us away from this island."

Coun. BUSH—Mr. President, I am not going into great detail on the question now, simply referring to the remarks I made on March 14 upon this same matter. Since that time, however, an estimate has been submitted by the Building Commissioner as well as by some of the engineers appointed by his Honor the Mayor and the Finance Commission, in regard to what certain improvements on the island will mean, showing amounts that total a million dollars and adding also the amount of \$50,000 for incidentals, exclusive of equipment and furniture. There will be a still further amount necessary to take care of the equipment and furniture. Therefore, even this million dollars will not adequately take care of the situation, as outlined, by the Mayor at the present time. I will admit that at the time of the first estimate it seemed to me that it was a little exorbitant for the particular kind of buildings to be constructed, but I now confess that I believe myself to have been mistaken on that point. That is particularly so in view of the estimate submitted by the Finance Commission's engineer with regard to buildings and the cost of construction. Because of the fact that I do not consider myself, nor would anybody else consider me, an expert on the construction of buildings, I am willing to take the estimate of these men as to the cost of that construction, and confess that I was mistaken. I will go farther, however, and say that if it is true that this is going to cost that much more for buildings on Long Island—merely for the buildings alone—and a further amount



will be necessary to equip those same buildings, we are not through with the matter with the expenditure of a million dollars, but a considerably larger amount will have to be appropriated for the purpose of equipping those buildings. I do not believe, as one of the councilors, that the immediate or pressing needs call for or require any such extraordinary expenditure on Long Island, and I still feel that to spend that sum of money when there is no immediate necessity or requirement for it, is merely putting another nail in the coffin of the idea of attempting to bring that institution to the mainland at some future date. As I remarked on March 14, it is merely a perpetuation of the mistake made originally in placing those institutions on that island. I still feel that I cannot vote for this appropriation, of this amount, at this time. I will, however, vote for the appropriation of an amount that will be enough to take care of such immediate and pressing needs as the councilor spoke of.

Coun. KEENE—Mr. President, I might say for the information of the councilor from Ward 12 that the expense necessary for the equipment and furnishings of the buildings will amount to \$100,000. That seems to be the opinion of the Institutions Commissioner and the engineers with whom the matter has been discussed. It seems to me to be a question of what the policy of the city should be. A study and examination of the situation shows that the question has been presented before this body and those which have preceded it, for twenty-seven years, and it is fair to assume that twenty-seven years more is likely to elapse before the question of where the hospital shall eventually remain is likely to be finally determined. That it has been brought out at the hearings before the committee, and I think by expressions of members of this board, leads me to believe that there are pressing needs at this institution. We have been to the trouble to get estimates from the Building Commissioner, the Schoolhouse Commissioner, and from the Finance Commission. They all seem to think that if we are going to build the buildings which were mentioned in his Honor's message, \$1,000,000 would be a moderate sum. I was much impressed by one statement in the letter from the Finance Commission to this effect:

"As the position of the Finance Commission on the merits of the loan has already been stated in a former communication to the City Council, no further comment is made on that point. If, however, you contemplate the passage of the pending loan, it is, of course, for you to determine whether it is wise for you to authorize a loan for the contemplated additions at this time, or whether it would be better to provide funds for making plans, so that accurate estimates of the undertaking may be obtained."

Then they go on to cite the method of the School Committee when it contemplates building construction, making an appropriation for taking the land and making plans in the first instance, and providing the money for constructing the building only after the plans have been made. Their opinion seems to be that they would prefer possibly to have the institution at Long Island brought to the mainland, but providing in the first instance, funds for the land and for the plans, and then for the construction of the buildings over a period of time. That coincides exactly with the expressions of opinion I have heard, that it would take a period of five or six years before necessary buildings could be constructed to enable the move to be made, if contemplated. But it is the opinion of the gentleman who has looked into this matter that, even if that were done, the buildings down there should not be allowed to continue in their present condition. I am of the opinion, under the circumstances, that this matter should receive careful attention; that the contemplated additions and improvements should be made for the benefit of the

people there. I trust that later these reports will be made a part of the record.

Coun. WARD—Mr. President, I was going to move that the remarks made upon this matter on March 14 be inserted in today's record.

Coun. McGRATH—Mr. President, I have not changed my stand on this matter since it came up in the Council before, and my reason for opposing it at this time is the same as it was at that time. That is, any appropriation of the size of a million dollars means that perhaps during our lifetime these people will be exiled on that island down the harbor. So far as votes of members having changed upon this matter is concerned, I do not impugn the motives of any man in this body, because I feel that our hearts rather than our heads are being appealed to; that therefore there are men here who may change their votes, but they do it only because they really feel in their hearts that they are doing the thing that is right for those who are less fortunate than we are. I am not going to quarrel with any man who changes his vote on this matter, because I think every man wishes to be governed by the proper spirit when he thinks of those who are the wards of our city. It is because of that feeling, and because of that conviction, that I personally never will change from the stand I have adopted of saying to those on Long Island: "You are as good as I am; come up here on the mainland and live where I do. I will not exile you down there forever." But it is not my opinion and it is not the Mayor's opinion that should be taken in the final analysis. It is the opinion of those on the island who are of the unfortunate class, who have to bear the burden and stigma which attaches to many of them of being known as paupers. Every effort has been made in our Legislature, every effort has been made even by this administration, to try to eradicate forever the word "pauper"; but just so long as Long Island is Long Island the name of pauper will always stigmatize those who are sick and unfortunate, and who must go down there to that island. I spoke before of the graveyard on the island. The conditions there in that respect may seem insignificant to some, but it is the fact that on that island, just outside the window, where it is to be seen by every inmate, is that graveyard, the last resting place of the poor folks who go down there. It is not a pleasant thing for any of us who are well, healthy, strong, and who can enjoy some of the good things of God's earth, to see continually within the range of our vision a graveyard which we know is finally to contain our remains. We surely don't want to spend much time in such a place. But when you are exiled on an island, and the one thing you look at forever is such a graveyard it makes an impression, and I have never been so strongly impressed with that fact as when I have recently had occasion to go down there and speak with the old folks about conditions surrounding them. Some of them speak their minds freely, longing to get up to the mainland and away from the conditions that surround them there. But the superintendent goes on record in favor of keeping them down there. One doctor, perhaps, says, "Remove them," and some other man says, "Keep them there." But when those in authority on the island say that that is the place for them to stay, what can the poor old folks say except, "Yes, this is the place to stay." I had a letter sent to me by one of the poor old fellows, an inmate who has spent a long time on the island. His name is on the paper, but I will not read it, although I will be glad to show it personally to any member of the Council. I do not, however, want to read the name of this poor old fellow who has had to go down to the island, to a place where when they die they are even buried without a name, with nothing but a numbered cross forever hiding the identity of the family name that they bear. This letter is from the heart

of a poor old soul down there, and I will let him talk to the members of the Council through this letter, which contains not the Mayor's sentiments, not my sentiments, but his sentiments, saying what he thinks of that graveyard and what he thinks of the numbered headstones. He says:

City Councilor McGrath.

Honored Sir,—You will forgive this intrusion when an old blind fellow here informs you that he could not restrain the impulse of proffering to you and your manly associates the thanks and gratitude of many of the old folks here whom you so nobly tried to safeguard,—the old and infirm charity wards of your city.

Dear Sir, please recollect that I am not criticising or casting any reflections upon any public servant connected with the institution.

It seems to an old senile fellow like me that if for no other motive save the motive of civic pride, some one would pay more heed to the plot of land that contains the ashes of those who have journeyed over the horderland.

In my hastily constructed and crude composition I have tried to express some of the serious thoughts that sway the hearts of some of the old folks here, who must eventually abide in some of the wee domiciles that constitute our little hamlet of the dead.

Rest I weary you, dear sir, and having no desire to do that, I remain, your humble ward, yet sincere well wisher.

And then he signs it.

And I have here a poem that he writes himself. This I have verified. It is entitled:

#### The Pauper's Grave.

Down by the side of the winding road,  
That leads to the sohhing sea,  
They have laid aside life's weary load  
In the Island Cemetery.  
Where even in spring no hlithe birds sing  
To disturb their last repose,  
Where kinship's hand never deigns to bring  
To the pauper's grave a rose.

#### II.

But what do they care, if graves are bare,  
Were their lives not barren, too,  
Of all the joys that ours did share,  
They drained the chalice of rue,  
Yes, maybe they had themselves to blame  
Or reap what their own did sow,  
As long as we bring ourselves the shame  
Why the outcast's tears must flow.

#### III.

Oblivious now to grief and shame  
They are numbered with the dead,  
E'en the bitter wood contains no name  
Stationed at the small mound's head.  
Mutilated here the dross we hide  
But somewhere beyond our ken  
One claims souls stained on the cross He died  
For just such women and men.

#### IV.

Oh, we all nursed at a mother's hreast,  
And knelt at a mother's knee,  
And loving kiss our lips once pressed  
Holds sacred that memory.  
And when erring ones are called away  
To be nameless with the dead,  
If the hitter truth seems harsh to say  
Leave the unkind words unsaid.

There we have the point of view of a poor inmate; and, presenting these to you, I simply ask, Should we not bring these people back from exile? Should we not take them away from the conditions surrounding them there? I leave it with the Council to vote on the matter.

Coun. WILSON—Mr. President, I was severely criticized in some quarters for voting on March 14 against a million dollar expenditure on Long Island, and the suggestion was made that if I was in doubt at all, I should vote with the administration to

spend the money. Mr. President, on general principles when in doubt I consider it better judgment to vote against an expenditure of \$1,000,000 of the people's money. I ask to be shown. I was not opposed to the expenditure of any money at Long Island, but I have sincerely felt that a million was too stiff an order. In justice to all concerned, I have therefore taken some pains to probe to the root of the entire question. I assume, on a loan order which involves the expenditure of \$1,000,000, and which is deemed of sufficient importance to be again sent back promptly to this body by the Mayor after an initial defeat, every member of this Council has done some real and constructive thinking. Accordingly, I shall not take your time with details, as to which I naturally assume we are all now familiar. But, briefly, as I understand it, the present situation is just this. Neither the Finance Commission nor the Mayor advocates total abandonment of the Long Island almshouse, chronic hospital and ancillary buildings; both the Mayor and the Finance Commission strongly oppose any consideration of the Parker Hill Chronic Hospital, which would mean the expenditure not of a million but of \$6,000,000 for the hospital, not including \$3,000,000 more for an almshouse, and another \$1,000,000 or more for outbuildings,—not to mention the scrapping of Long Island valued at least \$5,000,000. The Finance Commission specifically advises the Mayor to abandon the Parker Hill site, but to continue to maintain the almshouse and hospital at Long Island, with a further recommendation that the city plan the development of another chronic hospital in West Roxbury. Thus we find no clear-cut proposition of a choice between Long Island and the mainland. I am therefore now inclined to agree with the Mayor's March 14 statement, as follows: "No other practical measures have been suggested except those embodied in the accompanying loan order, and whatever the future need of an additional chronic hospital on the mainland may develop is no answer to immediate urgent necessities of the inmates of Long Island." It has therefore come down flatly to the test: What are the absolutely indispensable present requirements at the island? \$750,000 of the million requested are for additional almshouse accommodations, the children's building, the nurses' home, and items quite independent of the chronic hospital, and therefore independent of the much disputed question whether additional chronic hospital facilities should properly be provided on the island or on the mainland. Since the dispute between the Mayor and the Finance Commission logically reduces to that proposition alone, I prefer to spend the \$250,000 balance at the island hospital rather than a much greater sum on the mainland at West Roxbury. Both sides are apparently in accord that we should not attempt the \$6,000,000 Parker Hill expansion. I am not an engineer, nor an architect,—every man to his own trade. I never built any hospitals. But I have been able to verify that with an average daily hospital attendance of 376 at Long Island with 70 nurses, there is but one nurse to some 16 patients, including children, as compared with a daily provision of 1 nurse for every 9 patients at the City Hospital. Ordinary arithmetic also proves that 500 men cannot properly be housed in buildings designed for 325. I am impressed, on verification of the fact, that there are in our city at the present time over three times as many children, eligible and ready for aid, as can possibly be housed under present conditions, and the further fact that even among the seventy-nine children on the island there is no proper provision for isolating contagious cases. I have learned that sentiment among many of the inmates themselves appears to be strongly in favor of continued residence off the mainland. The letters I have read lacked some of the literary merit found in Coun. McGrath's letters, but are no less authentic. Finally, it has been most enlightening to me to have the Finance Committee of this body quite constructively consult certain qualified gentlemen on actual facts and figures.



and they report that a million dollars appears to be a very fair and conservative estimate for the absolute necessities at Long Island. Something must be done. It is bad news. And it is bitter medicine to take,—in or out of a hospital, but it now appears to me, Mr. President, that we shall have to authorize this expenditure, that it is necessary at the present time.

Coun. DOWD—Mr. President, my remarks will be very brief. I feel the same way that I felt on March 14, when I said, referring to the million dollars:

"In questioning Mr. Kinney, in the committee room, he admitted that that figure was a trifle high. I agree with him that it is not only a trifle high, but that that item has been padded good and proper, and if one item in this million has been padded, I say to you, gentlemen, that the other three are padded also."

The report of the Building Commission has already been referred to and we are now told that an additional amount will be needed. The members of the Finance Committee, of which I am a member, know what happened. We all know what was said in that committee. Isn't it true that Mr. Kinney said that the figure was a trifle high? And it was understood that Mr. Kinney was to send a committee and to have a report made, and we all know what we find here in that report. Mr. Rourke and Mr. Norton went down, and Mr. Emerson looked into the matter for the Finance Commission, and we find here additional figures submitted, so much for nurses' home, so much for equipment, \$100,000 for this, so much for that. So you see, gentlemen, what we are getting into. On March 19, I think it was, his Honor the Mayor broadcasted his views on the matter, stating that a small minority of the Boston City Council were trying to block this appropriation. I disagree very much with the Mayor, because I firmly believe that we, as elected members of the city government, have the same privilege and right that the Mayor has to take a stand upon matters coming before us, and that it is our privilege and duty to vote as we think we ought to vote. Of course, when he broadcasted the statement that a minority of the members by voting against the order had blocked the appropriation, I wrote a letter to the Edison Illuminating Company asking them to give the same privilege of broadcasting our views which actuated us in voting against the million dollar appropriation, that the Mayor had been given in favoring it. On April 1 I received this letter:

"Dear Mr. Dowd—I hope that by allowing Mayor Nichols to broadcast his financial ideas we have not involved the station in an endless controversy. However, I cannot see why there should be an objection to a broadcast of the other side of the argument. While I am looking around for a suitable place on the program, won't you please send me a manuscript of the talk you intend to give?"

That was signed by Charles W. Burton, Superintendent of Broadcasting. A manuscript was drawn up and sent to Mr. Burton. But in the meantime I am going to ask Mr. Burton of the Edison Company if I am not correct when I say that the Mayor of Boston called him on the telephone and asked him not to allow Coun. Dowd to broadcast the manuscript sent to him. So, in spite of the fact that on April 1 I had the permission of the Edison Company to broadcast our manuscript, which, by the way, I will say was very tame, very conservative and very dignified—because some members of the Council can be as dignified when they are talking to the public on the air as his Honor the Mayor—on April 13 I received this letter:

"Dear Mr. Dowd—I am sorry to say that the crowded condition of our program will prevent our broadcasting your statement. The slack season which we expected to begin at this time has not arrived. Instead, we are being sent more programs from New York than ever. I think the best thing for you to do is to try to make arrangements with one of the other local stations through which you would reach just as large an audience as did

the Mayor from WEEI. I am returning your manuscript with regret."

But the other stations are not controlled by the Edison Electric Light Company. Now, Mr. President, my first vote on this matter was a vote not against immediate repairs. Of course not. In that committee room at the time of the last committee meeting, I stated to one of the Board my attitude, that I would vote for any amount up as high as \$750,000. But his Honor the Mayor evidently would not retreat one step from the original stand he had taken. I would say in all fairness that the sum of \$250,000 would be hardly missed by the architects and contractors in this large sum. I say again, in all seriousness, that it is a waste of money, an extravagance on the part of the Boston City Council, to allow this sum of money to be spent on a barren island such as Long Island is, and if we vote to expend this money today, as I know we are going to do, what is the answer? We have driven a nail in the coffin, and there will be no chance of doing anything to get the almshouse away from the island and on to the mainland, such as many of us want to see accomplished, for at least the next seven or eight years. I am going to stand by the original position that I took on March 14, and vote against the appropriation.

Coun. PARKMAN—Mr. President, the counselor from Dorchester who preceded the last speaker, in my opinion put his finger on the exact point in controversy between his Honor the Mayor and the Finance Commission in this question. The report of the Finance Commission did not meet the question in any sense or at any point. They advocated a new chronic hospital, an additional chronic hospital, on the mainland, to offset the one at present on Long Island. The bulk of the loan order under consideration at the present time is for the other needs. As his reasons expressed my convictions, I don't think it is necessary for me to say anything more. I shall vote for the order.

Coun. McMAHON—Mr. President, on March 14 I had something to say in regard to the Long Island situation. I did not think at that time that it would take a million dollars to take care of the folks at Long Island. Since March 14, however, I have made an additional study of the subject and I feel that I know a good deal more about it than I did at that time. From gentlemen in the employ of the City of Boston who know their business, we learn that it will take a much larger amount than the million dollars. I stated in my talk here on March 14:

"I will vote as quickly to help those poor folks down there as anybody, but I don't think that \$1,000,000, that large sum, should be spent down there. I feel that a much less sum would take care of immediate wants, would give them sufficient beds so that they will not have to park them down in the basement."

Since that time I have studied the proposition carefully, and I cannot find that the million dollars will take care of them. Further, it appears that those who are running the finances of this administration are not proposing to move anybody from Long Island at the present time. Personally I would like to see them moved from Long Island to the mainland but, as they are not going to move them, I don't feel personally that I can vote against this million dollars. I personally feel that if my vote is going to help make the people there more comfortable and make their living quarters better, I am going to vote for the million dollars. This administration will not move them, and I don't know about the next administration. I do feel, however, that I should, so far as is possible by my vote, try to make those people as comfortable as they can be made, and I hope, therefore, that the order will pass.

Coun. ARNOLD—Mr. President, I have been very much interested in listening to the arguments pro and con in regard to the improvements at Long Island. The argument that has perhaps interested the Council very much is that of the eloquent gentleman from Dorchester who, if I understand him cor-



rectly, would remove all graveyards from this surface of this oblate spheroid, more commonly called the earth, so that nothing suggesting the passing away of us poor mortals might ever be seen again by the human eye. That certainly will not be done until humanity has *in toto* subscribed to cremation. Of course, that is a position that sentimentalists are very prone to take. If I felt as he does, Mr. President, I could not stand in this hall and gaze out of the windows upon that old, old graveyard called King's Chapel Burying Ground. It has been said by some one that it is better to attend a house of mourning than a house of feasting, and I believe human sentiment will always be enriched by attendance upon those who are suffering. The sick, in my opinion, must always be to a certain degree exiled. Their own physical condition makes it necessary that they should be to a considerable extent exiled. And so, sir, I cannot subscribe to that beautiful sentiment so well expressed in regard to the exile of the sick. As they must, in my opinion, be so exiled, I feel that they are being very finely taken care of in their so-called exile at Long Island. The poor sick who go to Tewksbury are perhaps even more exiled than are those at Long Island, but we have had no such eloquent defence of their terrible situation as we have of the situation of those on Long Island. My opinion has not changed a bit since the matter was last before this body, and I sincerely urge that the Council, Mr. President, pass this appropriation at this time, thereby showing to those who are sick that we have their interests really and sincerely at heart.

Coun. GUILD—Mr. President, I desire simply to add a word to complete the record and to supplement the statement of the councilor from Ward 8 in regard to the item of an additional story for the nurses' home, with regard to which he quoted Mr. Kinney and also referred to what has been said by some of the experts who looked into the matter. He neglected to state that the engineer of the Finance Commission also placed an estimate of about \$100,000 on this item, and it is my opinion that no more disinterested—if not actually hostile—engineer could have been picked to make this investigation.

Coun. WARD—Mr. Chairman, I would like to ask the gentleman from Watertown or Belmont a question if I may.

President HEFFERNAN—The Chair will rule that there is no gentleman here from Watertown or Belmont.

Coun. WARD—I would like to ask the gentleman professionally if he feels that in a chronic case the seashore is better than the country?

Coun. DOWLING—Mr. President, the councilor who occupies the second seat to my left (Coun. Guild) said he wanted to complete the record, and included in his remarks something that was said by the engineer of the Finance Commission. I submit, Mr. President, that there is more involved in this question than appears here this afternoon. I submit that the engineer of the Finance Commission is a gentleman who has held one of the most responsible positions in this city for several years, and with credit, Mr. Guy C. Emerson. Although one may not agree with him in all he says, as representing the Finance Commission, the records of the city prove that he was a competent, capable, efficient engineer in the city's service. I submit that his opinion on this subject is as good as the opinion of Mr. Rourke, who is my personal friend, or of Mr. Charles Norton, of the Schoolhouse Commission, whom I do not happen to know. The latter two are, however, familiar with buildings. Mr. Emerson is also familiar with buildings, and I submit that the records will not be complete and that this Council will not have an opportunity to know some of the arguments connected with this matter, unless the Committee on Finance allows to be read into the record, either by myself or some member of the committee, the report filed by Mr.

Emerson. The gentleman on my right (Coun. Keene) intimated that he was going to move that the communication from Mr. Emerson be incorporated in this debate. That, sir, I submit is about as unfair as anything you can imagine. After the vote has been taken and to clear the skirts of the Committee on Finance, the gentleman on my right suggests that it would then be a good time to read into the record what Mr. Emerson has to say! I assume that I have permission to read Mr. Emerson's report. I cannot add any wisdom to what Mr. Emerson says, but I can give you a page out of my own early life to confirm what Mr. Emerson says. In my early life I learned the trade of a carpenter, and for ten years I was steadily employed at it, going through the different grades until I became a foreman and built houses myself. So I feel somewhat intimate and familiar with construction. And it just happens, Mr. President, that about thirty years ago, after I came back from Cuba, I went on to Long Island and helped to build some of the houses that are now owned by the government there. I have a very vivid recollection of what it cost to build those officers' houses on Long Island. We were lighted down the harbor through the winter, leaving the wharf in the city proper at the usual hour for work, and landing there perhaps two hours afterwards. We would work for an hour, then take a half hour for lunch, then work perhaps an hour more, and prepare to go home. So the labor cost (laughter)—you may laugh, but the labor cost on the building of the officers' houses on Long Island represented an outrageous expenditure of the public money, and I benefited some by it. I am now going to omit a considerable part of Mr. Emerson's comments here, but I will, in part, read what he says:

"It is not improbable that the total of the amount estimated may be, under certain conditions that often arise in municipal work, greatly exceeded. In connection with the matter, I have been requested to give an opinion regarding the increased cost for doing building work on Long Island, as compared with the cost of similar structures on the mainland. This is an exceedingly difficult matter regarding which to make an accurate estimate; as the elements of time, Character of materials, sources of supplies and other things greatly affect the matter. It may be assumed roughly that the cost of buildings will be divided between labor and materials approximately in the proportion of 40 per cent for labor to 60 per cent for materials. As regards labor, there must be taken into consideration the cost of transportation and the time lost in transit—he must have known of my early experience there—for which laborers will expect to be paid. These two items would, I believe, increase the cost of labor by approximately 30 per cent. As regards materials, the increased cost is less certain. For example, if lumber were purchased in Boston and shipped to the island, requiring to be rehandled twice, the cost would be greater than if brought directly to the island by water. The same is true of bricks. If a foreign brand of cement is purchased and shipped directly from the Army Stores to the island, it will probably cost no more than if delivered by teams in the city. Sand and gravel would probably be brought directly to the island by water and should be secured more cheaply than in town. The remaining materials, such as doors, windows, roofing material, terra cotta blocks, etc., would have to be shipped from the city, requiring one or more rehandling in addition to the cost of transportation. At a rough estimate an increase of 20 per cent would be warranted on materials. This would make an average increase in cost of approximately 25 per cent over the cost of doing the same work on the mainland." I believe Mr. Emerson has shown that he is a competent engineer. He is familiar with building, much more familiar with it than any man in this Coun-

oil, and is certainly as familiar with it as Mr. Rourke and Mr. Norton. I submit that his opinion is worth something and, which it may not change the opinion of other members of the Council, and I don't believe it will—and I say this in all fairness to the men who are voting opposite to my views in the matter—his opinion is certainly entitled to a great deal of weight. I think, however, that the cards have been stacked and that the very selection of Mr. Rourke and Mr. Norton, both appointed by the Mayor in connection with this matter, is entirely misleading. I hope the order will not pass.

The order was given its first reading and passage, yeas 15, nays 6:

Yeas—Coun. Arnold, Donovan, Englert, Fitzgerald, Green, Guild, Heffernan, Keene, Lynch, Mahoney, McMahon, Parkman, Ruby, Wilson, Wragg—15.

Nays—Coun. Bush, Dowd, Dowling, Freeley, McGrath, Ward—6.

Coun. KEENE—Mr. President, I would move that the report of the Finance Commission, including the report of the engineer of the commission, and that the report of the Building Commissioner and the Schoolhouse Commissioner, be made a part of the record.

President HEFFERNAN—That will be done if there is no objection.

Coun. DOWLING—I object, on the grounds that I have stated.

President HEFFERNAN—Coun. Keene moves that the several letters he has referred to in his motion be made a part of the record. Coun. Keene's motion was carried.

The papers referred to are as follows:

City of Boston,

Finance Commission, April 25, 1927.

To the Honorable the Committee on Finance of the City Council.

Gentlemen,—You have requested that the Finance Commission obtain an estimate from its consulting engineer of the expense of the proposed additions and alterations at Long Island, for which a loan of \$1,000,000 is now pending. Complying with your request I annex hereto a copy of the engineer's report.

No plans for the proposed changes have been prepared. Under these conditions an estimate can show only the probable cost of the kind of building which the estimator has in mind. When final plans are made the estimate of cost might be entirely different.

The engineer of the Finance Commission has estimated the cost of the proposed changes at \$1,220,000. Other expense, however, is likely. For example, the engineer in estimating the power plant has not provided for a basement, and in the case of the addition to the nurses' home he thinks, from his examination of the walls, that when the roof is removed it may be found that substantial additional expense must be incurred for repairs to the original structure. It would appear, therefore, that \$1,000,000 would be only the beginning of the expense to which the city would be committed.

As the position of the Finance Commission on the merits of the loan has already been stated in a former communication to the City Council, no further comment is made on that point. If, however, you contemplate the passage of the pending loan, it is, of course, for you to determine whether it is wise to authorize a loan for the contemplated additions at this time, or whether it would be better to provide funds for making plans, so that accurate estimates of the undertaking may be obtained. When, for example, the School Committee contemplates building construction, it usually makes an appropriation for taking the land and making plans in the first instance and provides the money for constructing the building only after the plans have been made.

Yours very truly,

CHARLES L. CARR,  
Chairman.

City of Boston,

Finance Commission, April 22, 1927.

To the Finance Commission.

Gentlemen,—Complying with the instructions of the chairman, I have made such an

investigation as conditions would allow regarding the probable cost of making additions to the buildings of the Institutions Department and constructing additional new buildings. I understand that the loan order calling for \$1,000,000 is now pending before the City Council. The work that it is proposed to do and the estimated cost of the same has been given me by the Institutions Commissioner over the telephone and confirmed at a subsequent personal meeting, as follows:

|                                                                                                                                       |                    |
|---------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 1. Extension to the Almshouse to accommodate 300 patients, a 600,000 cubic foot extension.....                                        | \$330,000          |
| 2. Children's hospital, 250 beds (at \$1,700) .....                                                                                   | 425,000            |
| 3. Additional story on nurses' home....                                                                                               | 100,000            |
| 4. New laundry, ground area 55 feet by 90 feet approximately.....                                                                     | 35,000             |
| 5. Power plant: 4 new boilers, 72 inches, with mechanical stokers, \$90,000; 2-125 KW generating sets at \$10,000 each, \$20,000..... | 110,000            |
| 6. Miscellaneous work.....                                                                                                            | 50,000             |
| Total .....                                                                                                                           | <u>\$1,050,000</u> |

I have made, in company with the commissioner, an examination of the premises at Long Island and observed the conditions existing.

No plans have been made for any of the structures and except that the buildings are anticipated to be of the same general character as the buildings now existing, no information is obtainable as regards details of construction. The only method for calculating the probable costs is the cubic foot method, by which the cost of the proposed structures may be compared with the cost of buildings that have been already built for similar purposes. Much information regarding the cost of buildings for all purposes has been tabulated and various formulas have been perfected for modifying the costs of a particular period to present conditions, taking into consideration the changes in costs of construction, such as rates of wages and increased cost of materials. Using the above methods I have attempted to make a rough estimate of the cost of the work proposed, as herein previously outlined.

It appears to me extremely doubtful that the amount asked for, \$1,000,000, will be sufficient for the purpose. Unquestionably, work of some character could be obtained for this sum. On the other hand, experience with city work indicates that it is not likely to be of the cheapest or most economical character.

Estimates based upon my own conception of the character of the work and the cost of the same give results approximately as follows:

|                                                            |                    |
|------------------------------------------------------------|--------------------|
| Almshouse extension.....                                   | \$390,000          |
| Children's hospital.....                                   | 500,000            |
| *Additional story on nurses' home....                      | 125,000            |
| †New laundry building.....                                 | 45,000             |
| Power plant, as estimated by the commissioner .....        | 110,000            |
| Miscellaneous work, as estimated by the commissioner ..... | 50,000             |
| Total .....                                                | <u>\$1,220,000</u> |

The commissioner's estimate for the children's hospital was made, so I was informed, by experts from the Building and Schoolhouse

\*The condition of this building indicates the necessity for a substantial amount of general repairs in the lower stories. No provision for such repairs is contained in this estimate.

†The building estimated for is a single story with the floor resting directly on the earth, with only such excavation as will be necessary to remove loam and furnish drainage. If a basement story is considered advisable, the amount estimated should be substantially increased.



Departments, after consideration of the cost of a hospital recently constructed in a neighboring city. Certain additions were made to the price per bed for this hospital, on account of Long Island conditions, making the estimated price for the proposed hospital \$1,700 per bed.

The cost of a hospital on a per bed basis is a matter regarding which I have been able to obtain very little information. Costs of various hospitals built about the year 1902 indicate a cost from \$1,800 to \$2,300 per bed at that time. As the cost of general building construction has increased more than 100 per cent since 1902, it may be that the cost per bed would far exceed the amount of \$2,000 allowed in my estimate.

It is not improbable that the total of the above estimates may be, under certain conditions that often arise in municipal work, greatly exceeded.

In connection with the matter, I have been requested to give an opinion regarding the increased cost for doing building work on Long Island, as compared with the cost of similar structures at some place on the mainland. This is an exceedingly difficult matter regarding which to make an accurate estimate, as the elements of time, character of materials, sources of supplies, and other things, greatly affect the matter.

It may be assumed roughly that the cost of buildings will be divided between labor and materials approximately in the proportion of forty per cent for labor to sixty per cent for materials.

As regards labor, there must be taken into consideration the cost of transportation and the time lost in transit, for which laborers will expect to be paid. These two items would, I believe, increase the cost of labor by approximately thirty per cent.

As regards materials, the increased cost is less certain. For example, if lumber were purchased in Boston and shipped to the island, requiring to be rehandled twice, the cost would be greater than if brought directly to the island by water. The same is true of bricks. If a foreign brand of cement is purchased and shipped directly from the Army Stores to the island, it would probably cost no more than if delivered by teams in the city. Sand and gravel would probably be brought directly to the island by water and should be secured more cheaply than in town. The remaining materials, such as doors, windows, roofing material, terra cotta blocks, etc., would have to be shipped from the city, requiring one or more rehandlings in addition to the cost of transportation. As a rough estimate an increase of 20 per cent would be warranted on materials. This would make an average increase of cost of approximately 25 per cent over the cost of doing the same work on the mainland.

Respectfully submitted,

GUY C. EMERSON,  
Consulting Engineer.

City of Boston,  
Institutions Department, April 18, 1927.  
Mr. Charles G. Keene, City Councilor, Council Chamber.

Dear Sir,—In considering the estimate of the cost of the proposed alterations and extensions at the Long Island Hospital, as estimated by Louis K. Rourke, Esq., and Charles P. Norton, Esq., you will note that no provision has been made for the equipment of the buildings, and it is necessary in order to cover these items that the sum of \$100,000 be provided.

Very truly yours,

WILLIAM S. KINNEY,  
Commissioner.

City of Boston,  
Building Commissioner, April 15, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—In compliance with your request we visited Long Island on the morning of April 14 to take up the proposed alterations and extensions and the cost of same as submitted by Commissioner Kinney.

1. The extension to the Men's Almshouse will contain approximately 600,000 cubic feet, and our estimated cost of this structure is \$330,000.

2. The construction of a 250-bed Children's Hospital, our estimated cost is \$425,000.

3. A new laundry, 50 by 100, one story in height, our estimated cost is \$35,000.

4. The replacement of four (4) antiquated steam boilers and a proper storage for coal and handling equipment, \$90,000.

5. Two (2) 125 kilowatt dynamos, \$20,000.

6. The repair and an additional story to the Nurses' Home, \$100,000, making a total of \$1,000,000, to which should be added \$50,000 for incidentals, piping, etc.

These figures are for construction only and allow nothing for the equipment of said buildings.

Respectfully yours,  
L. K. ROURKE,  
Building Commissioner.  
CHARLES P. NORTON,  
Schoolhouse Commissioner.

#### REPORTS OF COMMITTEE ON CLAIMS.

Coun. GUILD, for the Committee on Claims, submitted reports, on petitions of Elizabeth J. Smith, 841 La Grange street, West Roxbury, and Luigi Cirone for compensation for loss of fowls killed by dogs, recommending passage of following orders:

Ordered, That there be allowed and paid to Elizabeth J. Smith, 841 La Grange street, West Roxbury, the sum of \$4 in compensation for the loss of two hens killed by a dog or dogs February 16, 1927, said sum to be paid from the income for dog licenses.

Ordered, That there be allowed and paid to Luigi Cirone, 444 Beech street, Roslindale, the sum of \$12 in compensation for the loss of six hens killed by a dog or dogs July 17, 1926, said sums to be paid from the income for dog licenses.

Reports accepted, said orders severally passed.

#### CONSTRUCTION OF GREYLOCK ROAD.

Coun. DOWLING offered the following:  
Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be directed to require that Martino DeMatteo, who has the contract for the construction of Greylock road, Ward 21, reset the edgestones and relay the granolithic sidewalks in that thoroughfare so that the work will conform with the specifications.

Coun. DOWLING—Mr. President, I do not want to take any more time than is necessary to explain the situation out in my ward which warrants the attention of the Superintendent of Public Works in my ward, and I have an interest in the street. Last year, on my order, with the approval of the Council and with the recommendations of the Street Commissioners, and with the further approval of the Mayor, it was voted to lay out Greylock road. The work began in the early summer and it was duplicated in the fall on account of cold weather but after the contractor had set his edgestones and laid his granolithic walks. With the coming of cold weather the edgestones were separated from his sidewalks so that there is a hiatus between the two, and I understand that the contractor expects to fill in with cement in the holes, and leave the sidewalk exactly as it is. The interest I have in there is the interest of my constituents. They



are going to pay half the cost of that street, and they are entitled to a decent job. If the contractor took the job a little too low and is not going to make something out of it, that is his fault; if he is going to reset the edge-stones at an expense to himself, that is his hunch. This matter of incompetence on the part of contractors came out before the Committee on Unemployment in several ways, and I think the members of the committee should take notice. There is no doubt but that there is a lot of bidding being done by men who do not intend to give the city any kind of service, and I hope the Council will pass this order so that my constituents, who are also my personal friends there, will have a sidewalk in the street like the city expected them to have and what they expected to pay for, and I hope the order will pass.

The order was passed under suspension of the rule.

#### LAND IN JAMAICA PLAIN.

Coun. FREELEY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to consider the advisability of taking, for park purposes, the lot of land on Centre street and Bickford street, Jamaica Plain, adjacent to the Plant Factory and now maintained as a recreation park.

Passed under suspension of the rule.

#### PIER AT HEAD HOUSE.

Coun. MAHONEY—Offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the repair of the pier leading from the Head House at South Boston.

Passed under suspension of the rule.

#### HEARING ON UNEMPLOYMENT CONDITIONS.

Coun. GREEN offered the following:

Whereas, The establishment of the Boston Terminal Market has thrown out of employment some three or four hundred men, and,

Whereas, It is reported that 2,000 men will be discharged from the service of the New York, New Haven & Hartford and Boston & Maine Railroads, be it

Ordered, That the Committee on Unemployment of the City Council call a public hearing for the purpose of ascertaining the reasons for these wholesale discharges.

Referred to the Committee on Unemployment.

#### GENERAL RECONSIDERATION.

On motion of Coun. GREEN general reconsideration of all business passed at the meeting was refused.

Adjourned at 5.05 p. m., on motion of Coun. KEENE, to meet on Monday, May 2, at 2 p. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Monday, May 2, 1927.

Regular meeting of the City Council in the Council Chamber, City Hall, President HEFFERNAN in the chair and all the members present.

## JURORS DRAWN.

Jurors were drawn in the manner prescribed by law, as follows:

Twelve additional traverse jurors, Superior Civil Court, Fourth Session, to appear May 9, 1927:

Frederick J. Carroll, Ward 4; Charles A. Gardner, Ward 6; Francis P. Brennan, Ward 13; John E. Garrity, Ward 13; Theodore R. Kelley, Ward 13; Louis C. Marr, Ward 13; Joseph F. Eaton, Ward 14; Joseph B. Forsyth, Ward 18; John J. Quinlan, Ward 18; John L. McInerney, Ward 19; Henry Stone, Ward 19; Waldron G. Lawrence, Ward 21.

Forty traverse jurors, Superior Criminal Court, First Session, to appear June 6, 1927:

Manuel J. Adams, Ward 1; George A. Butler, Ward 1; David S. Donahoe, Ward 1; Edward A. Murphy, Ward 1; John Ambrose Keane, Ward 2; William Russell, Ward 2; John J. Sweeney, Ward 2; Henry Buckley, Ward 3; Parker G. Bullard, Ward 3; Thomas B. Copper, Ward 3; Angelo M. Coshia, Ward 3; John J. Flynn, Ward 3; Michael J. Hogan, Ward 3; Peter Vintre, Ward 3; Leroy T. Gardner, Ward 4; Joseph P. V. Greenan, Ward 5; John J. Sweeney, Ward 6; William J. Rosemond, Ward 7; Andrew J. Dowd, Ward 7; Abel McKenzie, Ward 8; Axel F. Peterson, Ward 8; Daniel J. Sullivan, Ward 8; Clemon E. Jackson, Ward 9; John E. O'Connor, Ward 10; Adolph Otto Moennig, Ward 11; Reddick J. Royster, Ward 12; William G. Cadigan, Ward 14; Louis N. Kaiser, Ward 14; Benjamin H. Robbins, Ward 14; William M. Gilbert, Ward 15; Alexander P. Brown, Ward 17; John H. Quigley, Ward 17; Frank C. Healy, Ward 18; Neil F. Monahan, Ward 18; Henry R. Engelhardt, Ward 19; Edward A. Anderson, Ward 20; Frank G. Cluff, Ward 20; William A. Liston, Ward 20; Herbert E. Prescott, Ward 21; William Craig, Ward 22.

Fifteen traverse jurors, Superior Criminal Court, Second Session, to appear June 6, 1927:

Nicola Guarino, Ward 1; Thomas Sweeney, Ward 3; Philip Doherty, Ward 4; Howard J. Barnett, Ward 5; Henry C. Everett, Jr., Ward 5; Laurence E. Miller, Ward 5; James T. O'Sullivan, Ward 10; William F. Rooney, Ward 13; Maxwell A. Cohen, Ward 14; Olaf Larson, Ward 14; John B. Mason, Ward 14; Daniel O'Malley, Ward 15; Leon W. Barritt, Ward 16; Ralph W. Peters, Ward 16; William F. Himmelreich, Ward 22.

Forty traverse jurors, Superior Criminal Court, Third Session, to appear June 6, 1927:

Antonio D. Argenio, Ward 1; John J. Hoar, Ward 1; Joseph L. Mullen, Ward 2; Eugene N. Burnham, Ward 4; Leland W. Pollock, Ward 4; John C. Lane, Ward 5; John J. Martin, Ward 5; James F. Cummings, Ward 6; Ralph L. Smith, Ward 8; Sterling Bagby, Ward 9; Daniel L. Coyne, Ward 9; Edward J. Butler, Ward 10; James Shields, Ward 10; Henry G. Cooper, Ward 11; Melvin J. Aertson, Ward 12; Edward M. Lynch, Ward 12; Joseph R. McInnes, Ward 12; William L. Campion, Ward 14; Thomas J. Garrity, Ward 14; Solomon S. Hopper, Ward 14; Frank Sumner, Ward 14; Mendall Yeretsky, Ward 14; James E. McCarthy, Ward 15; Alexander McGillivray, Ward 15; Michael J. Flynn, Ward 16; John A. Malloon, Ward 16; John J. Riordan, Ward 16; Michael J. Whelan, Ward 16; George H. Frost, Ward 18; Frank E. Frykstrand, Ward 18; Morton P. Whitmore, Ward 18; Joseph A. Hasenfuss, Ward 19; Francis A. Pierce, Ward 19; Harry E. Smith, Ward 19; Harry S. Hoagland, Ward 20; Thomas G. Houghton, Ward 20; Clyde

B. Harvey, Ward 21; Richard Mudoch, Ward 21; Henry B. Rising, Ward 21; Joseph Longden, Ward 22.

Twenty-six traverse jurors, Superior Civil Court, First Session, April Sitting, to appear June 6, 1927:

John A. Barry, Ward 1; William L. Humphrey, Ward 1; James Ruggerio, Ward 1; Robert Swadel, Ward 1; Daniel E. Whelton, Ward 3; Christopher A. Burke, Ward 4; Charles M. Curley, Ward 7; John E. Murphy, Ward 7; Peter Reilly, Ward 8; Daniel M. Donovan, Ward 9; James E. Goslin, Ward 9; Cornelius F. Sheehan, Ward 10; Robert T. Armstrong, Ward 11; Patrick J. Connelley, Ward 12; Peter Larsen, Ward 12; Joseph D. McDonald, Ward 13; Louis Davis, Ward 14; Henry S. Dunn, Ward 14; Philip C. Albrecht, Jr., Ward 15; James Hanabury, Ward 15; John W. Leach, Ward 15; George A. Leggett, Ward 16; Francis P. Carroll, Ward 16; William F. Mahoney, Ward 17; Edward Noyes, Ward 18; Thomas W. Branch, Ward 22.

Twenty-six traverse jurors, Superior Civil Court, Second Session, April Sitting, to appear June 6, 1927:

John F. Donovan, Ward 1; Joseph P. Higgins, Ward 1; James F. Scanlon, Ward 2; Mahlon E. Havener, Ward 4; George A. Hayes, Ward 4; William L. Wing, Ward 4; George R. Alley, Ward 5; Henry F. B. Magee, Ward 5; Fred E. Nason, Ward 5; Rufus W. Stimson, Ward 5; John J. Desmond, Ward 6; Bernard F. Fitzgerald, Ward 7; Jeremiah J. Sheehan, Ward 7; Henry Green, Ward 8; Frank J. Keohane, Ward 8; Percy E. Ginn, Ward 11; Patrick A. Moynihan, Ward 13; Dana R. Small, Ward 15; Daniel F. Collins, Ward 16; Arthur F. Hall, Ward 16; Michael J. Holland, Ward 16; Thomas J. Kennedy, Ward 16; Frank McNamara, Ward 16; J. Edward Jansen, Ward 17; Joseph A. McKenna, Ward 17; Ernest H. Chase, Ward 21.

Twenty-six traverse jurors, Superior Civil Court, Third Session, April Sitting, to appear June 6, 1927:

Thomas F. Early, Ward 2; John A. Kelley, Ward 2; Charles J. Whelan, Ward 3; Edward F. Andrews, Jr., Ward 4; Louis B. Johnson, Ward 6; William V. Mahoney, Ward 6; Arthur V. Coughlin, Ward 7; Collins M. Eagon, Ward 8; Philip Kearney, Ward 10; Patrick R. Whalen, Ward 10; Daniel E. Hannaford, Ward 11; Harry L. Newens, Ward 11; Frederick Young, Ward 11; Albert G. Kenny, Ward 12; John C. Clapp, Jr., Ward 13; Louis Epstein, Ward 14; Fred E. Imling, Ward 14; Holger Nickelson, Ward 14; John F. Boyle, Ward 15; William E. Cahill, Ward 15; Frederick E. Clark, Ward 17; Charles Fescar, Ward 18; Alexander J. Dewar, Ward 20; Howard G. Chapin, Ward 21; Robert Y. McIntosh, Ward 21; Joseph M. Hanlon, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Fourth Session, April Sitting, to appear June 6, 1927:

Joseph M. Mahoney, Ward 1; Phillip Walsh, Jr., Ward 1; Levi S. Jeffery, Ward 2; Phillip McGowan, Ward 2; Joseph C. Whittier, Ward 2; Richard A. Quilty, Ward 3; Frank E. Newgent, Ward 4; Albert S. Graves, Ward 5; Stanley King, Ward 5; Edward J. Dowlong, Ward 7; John J. McManus, Ward 8; John F. Cass, Ward 10; Matthaue Heiler, Ward 10; Charles A. Rivers, Ward 12; Daniel Apostol, Ward 13; Thomas A. Foley, Ward 14; Alexander C. Fisher, Ward 15; Robert B. Logue, Ward 15; H. Gerard Lydon, Ward 15; John C. Finegan, Ward 16; Swen Magnus N. Johnson, Ward 16; John F. Hessian, Ward 18; John Bunszel, Ward 19; John Hyneman, Ward 19; Edmund O. P. Ihlefeldt, Ward 19; Joseph C. White, Ward 19; Francis H. Allen, Ward 20; James R. Haigh, Ward 20; Frank W. Buxton, Ward 21.

Twenty-eight traverse jurors, Superior Civil Court, Fifth Session, April Sitting, to appear June 6, 1927:

William J. Cutcliffe, Ward 1; Charles E. Durgin, Ward 1; James E. Joyce, Ward 1; Michael M. Moran, Ward 1; Michael J. Sullivan, Ward 1; Hamilton McLatchie Galloway, Ward 2; George D. Kane, Ward 3; James A. Clarke, Ward 5; John Sargent, Ward 5; Eliot Spalding, Ward 5; Robert Annis, Ward 7; John Spillane, Ward 7; Thomas J. Boland, Ward 8; Edward J. FitzGibbon, Ward 8; Daniel P. Hannan, Ward 9; Joseph H. Kelley, Ward 10; Charles Huether, Ward 11; James F. Barry, Ward 12; Patrick H. McCarthy, Ward 12;

Philip McLaughlin, Ward 12; Edward H. Yanes, Ward 12; William Miller, Ward 14; George H. Carter, Ward 15; John G. Danner, Ward 18; Martin W. Riley, Ward 18; Dana E. Sargent, Jr., Ward 19; James J. Flaherty, Ward 20; John A. Havey, Ward 20.

Twenty-seven traverse jurors, Superior Civil Court, Sixth Session, April Sitting, to appear June 6, 1927:

James J. Hurley, Ward 1; John L. Melanson, Ward 1; Peter S. DeCosta, Ward 2; James Gallo-way, Ward 2; William J. Condon, Ward 3; James B. Conley, Ward 3; John M. Coyne, Ward 3; George D. Huckson, Ward 3; Edward A. Smith, Ward 5; Nathan Stiller, Ward 5; Henry R. Madden, Ward 6; Arthur C. Richards, Ward 8; Thomas J. Darey, Ward 9; Edgar E. Hill, Ward 10; Patrick J. Brady, Ward 11; Henry A. Eichorn, Ward 14; Max Rubin, Ward 14; John Y. Smith, Ward 16; Patrick B. Cronin, Ward 17; John W. Ellsworth, Ward 17; George M. Powers, Ward 17; Thomas A. Connolly, Ward 18; Albert A. Allendorff, Ward 19; William J. Crisp, Ward 20; Edmund C. Campbell, Ward 21; Edwin F. Ripley, Ward 21; John A. Scufert, Ward 21.

Twenty-five traverse jurors, Superior Civil Court, Seventh Session, April Sitting, to appear June 6, 1927:

Daniel C. Clague, Ward 1; Thomas L. Murray, Ward 1; James M. Gallagher, Ward 2; George F. Marden, Jr., Ward 3; Daniel P. Shedd, Ward 4; James F. Halpin, Ward 6; Jeremiah F. O'Connell, Ward 6; Timothy J. Hurley, Ward 7; William W. Dunn, Ward 9; Arthur G. Graham, Ward 9; Frank A. McLeod, Ward 10; Edward L. Callahan, Ward 12; James H. Gorman, Ward 12; Samuel E. Horton, Ward 12; Joseph H. Tarpley, Jr., Ward 12; Patrick J. Mahoney, Ward 13; Ralph A. Plunkett, Ward 14; Lazarus Wingsky, Ward 14; Arthur B. Fitzmaurice, Ward 15; Austin F. O'Brien, Jr., Ward 15; Ellsworth Marshall, Ward 17; Charles L. Alden, Jr., Ward 18; Wallace A. Buntin, Ward 18; Glover J. Tolland, Ward 18.

#### APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council the Mayor submitted appointments for the term ending April 30, 1928, as follows:

Constables: Leslie P. Mann, 1293 Commonwealth avenue, Ward 21; Albert J. Homsy, 83 Oak street, Ward 3; James H. Waugh, 24 Willis street, Ward 13.

Weighters of Coal: John F. Corrigan, 11 Nott street, Hyde Park, Joseph L. Corrigan, 11 Nott street, Hyde Park, James E. Sheridan, 15 Gordon avenue, Hyde Park, with T. H. Corrigan & Sons, Hyde Park; W. H. Hubbard, 48 Quincy street, Roxbury, Joseph L. Sullivan, 37 Fairbanks street, Brighton, Edward J. Sullivan, 9 Harvard avenue, Dorchester, with Metropolitan Coal Company, Boston; Michael J. O'Haire, 32 Hall street, Jamaica Plain, with Whittemore Sons; Emory W. Sweet, 68 Overlook road, West Roxbury, with Boston Consolidated Gas Company; S. J. Rubin, 24 Ralston road, Mattapan.

Weighters of Goods: Daniel J. MacKay, 16 Payson street, Revere, with Davis & Hough, Inc., Boston; Edward Dodds, 15 Wrentham street, Dorchester, with Corn Products Sales Company; John H. Hagerty, 129 Hudson street, Somerville; S. Dexter Hedge, 289 Medford street, Charlestown.

Weighter of Beef and Weigher of Goods: Walter Anderson, 11 Dexter street, Medford, with Brighton Stock Yards Company.

Severally laid over under the law.

#### RESIGNATION OF CONSTABLE.

The following was received:

City of Boston,  
Office of the Mayor, May 2, 1927.  
Hon. James Donovan, City Clerk, City Hall,  
Boston, Mass.

Dear Sir,—Crescenzo DeSimone of 394 Meridian street, East Boston, has this day resigned as a constable of the City of Boston.

Very truly yours,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

#### ASHLAND STREET BRIDGE.

The following was received:

City of Boston,  
Office of the Mayor, April 25, 1927.  
To the Honorable the City Council.

Gentlemen,—I have received from the Commissioner of Public Works a letter hereto appended, in which he states that the widening and construction of Ashland street, West Roxbury, authorized by last year's Legislature and upon which the Street Commissioners are about to pass an order, will involve the widening and rebuilding of the bridge over the tracks of the New York, New Haven & Hartford Railroad Company. Before this work can be done it will be necessary to petition the Department of Public Utilities for its decision as to the necessity of the alteration or alterations contemplated in compliance with the request contained in the commissioner's letter.

I therefore recommend the passage of the accompanying order.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, March 29, 1927.  
To the Honorable the Mayor.

The widening and construction of Ashland street, West Roxbury, authorized by last year's Legislature, and upon which the Street Commissioners are about to pass an order, will involve the widening and rebuilding of the bridge over the tracks of the New York, New Haven & Hartford Railroad.

So as to comply with the legal forms necessary in the widening of bridges, I respectfully recommend that you ask the City Council to petition the Department of Public Utilities for a decision as to the necessity for widening this bridge.

Yours respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Whereas, Ashland street, a public way in the West Roxbury district in the City of Boston, crosses the tracks of the New York, New Haven & Hartford Railroad by an overhead bridge commonly known as the Ashland Street Bridge; and

Whereas, We are of the opinion that it is necessary for the security and convenience of the public that an alteration be made which does not involve the abolition of the crossing at grade but which does require the widening and rebuilding of said overhead bridge and its approaches:

Ordered, That the Corporation Counsel in the name and behalf of the City Council apply to the Department of Public Utilities for its decision upon the necessity of such alteration or alterations, and for prescribing the manner and limits within which it shall be made; and if the decision of the Department of Public Utilities is that an alteration or alterations is necessary, that the Corporation Counsel take such legal proceedings as are necessary to have such decision carried into effect in compliance with sections 59 to 64, both inclusive, of chapter 159 of the General Laws of Massachusetts, 1921, or any additions or amendments thereto.

Referred to the Executive Committee.

#### COPIES OF CITY RECORD.

The following was received:

City of Boston,  
Office of the Mayor, April 22, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Statistics Department in reply to your order of April 11, 1927, in relation to furnishing each member of the City Council with a bound copy of the City Record for the year 1926.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Statistics Department, April 18, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I beg to inform you of the receipt of your communication relative to City Council order passed on April 11, 1927, and requesting the Statistics Department to furnish each member of the City Council with a bound copy of the City Record for the year 1926.



It is not possible for the Statistics Department or the City Record office, to furnish these bound volumes, as many numbers have been completely sold out and our files are incomplete.

The demand for copies of the *City Record* varies; some weeks many copies are unsold; other weeks issues are entirely sold out, and it is impossible to reprint these missing copies.

The same condition is true for 1927, as several numbers are even now out of print.

I would suggest that the *City Record* be requested to furnish binding folders so each member of the Council may preserve, for himself, the copies being mailed him weekly.

Respectfully,  
JAMES P. BALFE, Chairman.

Placed on file.

#### HOURS OF NURSES, CITY HOSPITAL.

The following was received:

City of Boston,  
Office of the Mayor, April 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Boston City Hospital in reply to your order of April 11, 1927, in relation to duty of nurses.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Hospital Department, April 20, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor,—The recent order of the City Council, "That the Board of Trustees of the Boston City Hospital be requested, through his Honor the Mayor, to provide for the relief from duty for sixteen hours out of twenty-four, of nurses employed at the Boston City Hospital," was presented at the last meeting of the Board of Trustees, and on behalf of the trustees I assure you that the matter will be given very careful consideration by the Board.

Yours respectfully,  
JOSEPH P. MANNING,  
President, Board of Trustees.

Placed on file.

#### BLEACHERS, COLUMBUS PARK.

The following was received:

City of Boston,  
Office of the Mayor, April 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of April 11, 1927, in relation to the erection of concrete bleachers at Columbus Park, South Boston.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, April 21, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of April 14, with inclosure, order of the City Council, that the Park Commission be requested, through his Honor the Mayor, to provide for the erection of concrete bleachers with a seating capacity of 2,000 at Columbus Park, South Boston.

In reply I desire to say that the studies made for the completion of the Columbus Park improvements include the erection of bleachers at the upper end of the park near Columbus Circle. No improvements can be made in Columbus Park at the present time, owing to the fact that the Supreme Court has the question of Columbus Park improvements under consideration.

In the event that it is advisable to erect these bleachers, they will cost in the vicinity of \$24,000 or \$12 a seat. This money will have to be provided for as the department has no available funds for this purpose.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

#### FLAGPOLE, McCONNELL PARK.

The following was received:

City of Boston,  
Office of the Mayor, April 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of April 11, 1927, in relation to the erection of a flagpole in McConnell Park, Dorchester.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, April 21, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of April 14, with inclosure, order from the City Council, that the Park Commission be requested, through his Honor the Mayor, to erect a flagpole in McConnell Park, Dorchester.

In reply I desire to say that the erection of a flagpole in McConnell Park will cost in the vicinity of \$1,000. This money has not been provided for in the budget and before same can be erected this amount must be made available to the Park Department.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

#### BLEACHERS, McCONNELL PARK.

The following was received:

City of Boston,  
Office of the Mayor, April 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of April 11, 1927, in relation to the erection of concrete bleachers on McConnell Park, Dorchester.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, April 21, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of April 14, with inclosure, order from the City Council, that the Park Commission be requested, through his Honor the Mayor, to provide for the erection of concrete bleachers with a seating capacity of 2,000 on McConnell Park, Dorchester.

In reply I desire to say that, owing to the fact that the playground is on made land and soundings have been made to a depth of 48 feet before hard pan was reached, it would be a very expensive proposition to erect concrete bleachers on this area.

I regret exceedingly we have no funds available for this purpose and I estimate that it will cost between \$12 and \$15 a seat for any bleachers that would have to be erected. An appropriation of \$25,000 to \$30,000 would be necessary for this improvement.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

#### CHARLESTOWN IMPROVEMENTS.

The following was received:

City of Boston,  
Office of the Mayor, April 24, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of April 11, 1927, in relation to a concrete handball court at the Sullivan Square Playground, the Charlestown Heights Park improvements, the erection of a locker building on the Barry Playground and the enlargement of the Emmons Playground.

Very respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, April 21, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of April 14, with inclosure, order from the City Council, that

the Park Commission be requested, through his Honor the Mayor:

1. To provide for the erection of a concrete handball court at the Sullivan Square Playground.

In reply I regret exceedingly to inform you that at the present time there is a wooden handball court there and the department has no funds available for the erection of a concrete one.

2. That the park at Charlestown Heights be placed in a suitable condition and that improvements be made and showers installed in the building located thereon.

In reply I desire to say that the park will be placed in a suitable condition, in fact improvements are being made there at the present time by the departmental employees. The condition of the building will not allow of the installation of any showers. It is not large enough to take care of the needs of the department at the present time.

3. That a locker building be erected on the Barry Playground and that the Emmons Playground be enlarged.

In reply I desire to say that it will require an appropriation of \$40,000 to build a suitable locker building to care for this playground. The department has no funds available for this purpose at the present time.

Relative to the Emmons Playground I desire to say it will be necessary for the Board of Street Commissioners to take by right of eminent domain the property between the playground and Austin street, the assessed valuation of which is in the vicinity of \$45,000.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

#### LOCKER BUILDING, FATHER BUCKLEY PLAYGROUND.

The following was received:

City of Boston,  
Office of the Mayor, April 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of April 11, 1927, in relation to construction of a locker building and convenience station on the Father Buckley Playground, Third street, South Boston.

Very respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, April 21, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of April 14, with inclosure, order from the City Council, that the Park Commission be requested, through his Honor the Mayor, to provide for the construction of a locker building and convenience station on the Father Buckley Playground, Third street, South Boston.

In reply, I would say that I regret exceedingly the department has no funds available for this purpose. A suitable locker building will cost \$12,000. It is not advisable to include a convenience station on any playground building connected with the Park Department.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

#### STANLEY A. RINGER PLAYGROUND.

The following was received:

City of Boston,  
Office of the Mayor, April 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of April 11, 1927, in relation to fence on Stanley A. Ringer Playground.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, April 21, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of April 14, with inclosure, order from the City Council, that

the Park Commission be requested, through his Honor the Mayor, to provide and erect a suitable fence on the northerly side of the Stanley A. Ringer Playground, Ward 21.

In reply I desire to say that the Park Department will be pleased to erect a fence as far as its appropriation will allow it on this property to protect the property owners—a fence approximately 300 feet.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

#### WIDENING OF CHARLESTOWN STREETS.

The following was received:

City of Boston,  
Office of the Mayor, April 22, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a report from the City Planning Board in reply to your order of March 28, 1927, in relation to widening of streets in vicinity of Rutherford avenue and Chapman street, and Austin and Main streets, Charlestown.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
City Planning Board, April 13, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—In compliance with the foregoing order passed by the City Council at its meeting March 28, 1927, the City Planning Board respectfully submits the following report with regard to the advisability of widening streets in the vicinity of Rutherford avenue and Chapman street, and in the vicinity of Austin and Main streets, Charlestown, with a view to relieving traffic conditions.

It is a fact that there is an unusually large volume of traffic at each of these points and at each point also the present street layout serves to emphasize the inconvenience and actual danger which would ordinarily exist.

Chapman street leads directly from Rutherford avenue across Prison Point Bridge, and connections to the commercial and industrial sections of Cambridge, between Lechmere and Kendall squares, and to Memorial Drive and the Charles River road beyond, intersecting the various bridges over the Charles river. This means that it is the natural outlet for an immense volume of commercial traffic and pleasure vehicles from Boston, Cambridge and other communities on the west and south to Rutherford avenue, Charlestown, Chelsea, Somerville and points beyond.

A portion of this traffic will doubtless use the new Northern Artery, and the situation will be accordingly relieved to a certain extent; but it is probably perfectly safe—and safer—to assume that new traffic will develop to such an extent that the Chapman street route will continue to be used to its full capacity.

Rutherford avenue at its intersection with Chapman street is approximately 50 feet wide on the northerly side and 60 feet wide on the southerly side. This irregularity, together with the grade on Chapman street and the left-hand turn which is permitted into Rutherford avenue at a right angle, combine to confuse and complicate traffic materially at this point.

An obvious measure of correction would appear to be afforded by the cutting back of the southwesterly corner of Rutherford avenue and Chapman street, but at the present time this property is occupied by brick tenement houses owned by the Commonwealth and used for homes for prison officers. While it might be possible to secure the co-operation of the Commonwealth in the matter, the City Planning Board questions the wisdom of expending any money at this time as a temporary measure of relief which might not readily conform to a final plan for the solution of the entire difficulty.

Studies have been made by the Division of Metropolitan Planning for the widening of Rutherford avenue at an expense of approximately \$1,000,000. For the most part, the widening was made on the northeasterly side, and also provided for a rounding off of the Commonwealth property at the corner of Rutherford avenue and Chapman street. In the meantime, the freight yards of the Boston & Maine have been transferred from Rutherford avenue to the Cambridge-Somerville yards, and the widening of Rutherford avenue on the southwesterly side might possibly be effected through

co-operation with the Boston & Maine Railroad by setting back of buildings as a different type of use develops.

Conditions at the corner of Austin and Main streets are much the same in a general way. The large number of horse-drawn and motor vehicles and the street-car lines passing through Thompson square, the elevated station with its entrance and exit stairways and surface platform, together with the traffic already referred to from Rutherford avenue and Prison Point Bridge, result in a congestion which is already beyond the reach of one-way street or other remedial regulation.

The City Planning Board has already given considerable study to conditions at this point and has taken up with the Boston Elevated Railway the possible relocation of Thompson Square station, accompanied by the rearrangement of the surface platform and entrance and exit stairways so as to permit of a freer circulation of traffic in the vicinity but the estimated cost for carrying out such a plan was considered prohibitive.

Until recently a comparatively inexpensive opportunity existed for the cutting back of the southwest corner of Main and Austin streets, but the construction of a three-story brick building at this point stands in the way of any such recommendation at this time.

The City Planning Board has under way at the present time, under the direction of Mr. Robert Whitten of New York, a major street plan for the City of Boston. After giving the matter considerable thought, the Board has come to the conclusion that it would be the part of wisdom to delay making any recommendation for the relief of conditions at these two locations in Charlestown until a complete plan is available. The Board hopes that the plan now in preparation under the direction of Mr. Whitten will assume definite proportions, and to a certain extent, final shape, before the end of the present year. It is therefore disposed to recommend delay in the matters now under discussion in order that the solution eventually recommended may be in conformity with the final plan which will be based upon an intensive study of street and transportation conditions not only in the Charlestown district but throughout the entire city.

With the permission of your Honor, therefore, and that of the City Council, the City Planning Board, with a full appreciation of the seriousness of the situation toward the relief of which the City Council Order is directed, begs to refrain from making any definite recommendation in the matter at this time.

Yours very truly,  
FREDERIC H. FAY, Chairman.

Placed on file.

#### LIGHTS ON FATHER BUCKLEY PLAYGROUND.

The following was received:

City of Boston,  
Office of the Mayor, May 2, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communications from the Park and Public Works Departments in reply to your order of January 17, 1927, in relation to the installation of the two arc lights on the Father Buckley Playground on West Third street, South Boston.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, January 20, 1927.  
Mrs. I. Hibbard, Assistant Secretary,  
Mayor's Office.

Dear Madam,—I have your memorandum of January 19 with enclosure, order from the City Council that the Park Commission be requested to install two arc lights on the Father Buckley Playground on West Third street, South Boston.

In reply I desire to say that this playground is approximately 280 feet long and 100 feet wide and contains about 28,000 square feet. I would recommend that the arc lights be located on West Third street just in front of the playground which will illuminate it very well.

I would suggest that the matter be referred to the Public Works Department, Street Lighting, with the request that they install the lights on West Third street, opposite the playground, as same would be much more satisfactory than

locating the lights on the playground—would be cheaper and more practical and would illuminate the entire area.

Very truly yours,  
W. P. LONG, Chairman.

City of Boston,  
Public Works Department, April 27, 1927.  
To the Honorable the Mayor.

I return order of the City Council, requesting the installation of two arc lamps on the Father Buckley Playground, West Third street, South Boston, together with letter from Mr. W. P. Long, chairman of the Park Department.

In accordance with the recommendation of the Park Department that the lamps be located on the sidewalk, instead of on the playground itself, we have issued the necessary order to the Edison Company. The lamps will be put into commission as soon as possible.

Yours very truly,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

##### Claims.

Teresa J. Anderson, for compensation for clothing destroyed in sterilizer at City Hospital.

Bernard J. Arntz, for refund on refuse tickets.

Frank J. Beck, for compensation for damage to automobile caused by an alleged defect at 381 Ashmont street.

Charlestown Gas and Electric Company, for compensation for damage to pole at Monument court, caused by city truck.

George J. Connor, for refund on victualler's license.

D. DeStefano Company, Inc., for compensation for injuries to horse caused by defective sewer inlet at Cross and North streets.

Jewell A. Dowling, for compensation for damage to property at corner of Commonwealth avenue and Harvard street, caused by city truck.

Dorothy Bukelow, for compensation for damage to clothing by fire hose.

A. J. Fassitt, for compensation for damage to automobile caused by being struck by city wagon No. 850.

Fisher-Webster Company, for compensation for damage to property at Faneuil Hall Market, caused by defective water system.

Bernard Gottlieb, for compensation for injuries caused by an alleged defect at 922 Canterbury street.

Grove Hall Fruit Market, for refund on refuse tickets.

Augustus Howard, for refund on victualler's license.

Charles H. Johnson, for compensation for damage to property at 4 Marble street, Roxbury, caused by city truck.

Lillian Kelly, for compensation for injuries caused by an alleged defect at 22 Cedar street, Roxbury.

Pasqualina LaMarca, for compensation for injuries received on ferryboat.

Josephine L. Libby, for compensation for damage to clothing caused by an alleged defect in common on Tremont street side.

John G. Marshall, for refund on refuse tickets.

A. J. Mitchell, for compensation for damage to automobile by city truck.

Mary A. Mitchell, for compensation for damage to clothing by fire hose.

Anthony Pilato, for compensation for injuries received on ferryboat.

Dorothy Pilato, for compensation for injuries received on ferryboat.

Mrs. Mary Ploof, for compensation for loss of articles taken from 76 Gold street, South Boston, by ashmen.

Ralph Rossi, for compensation for injuries received on ferryboat.

C. M. Ryder Company, Inc., for compensation for damage to stock at Faneuil Hall Market, caused by defective water system.

Antonetta Signora, for compensation for injuries caused by an alleged defect at 11 Salem street.

Joseph E. Townsend, for compensation for damage to automobile commandeered by policeman.



John E. Walsh, for compensation for injuries caused by an alleged defect at West Cedar and Cambridge streets.

Julia M. Wiley, for compensation for damage to shubbery at 157 Kilsyth road, caused by street cleaners.

#### Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Bessie Ferguson, Jordan Hall, May 10.

Gertrude Murphy, Municipal Building, South Boston, May 27.

Gertrude Dolan DePetro, Jordan Hall, May 11-17.

Mrs. W. S. Butler, Mechanics Building, May 7.

Alice M. Sullivan, Odd Fellows Hall, May 5.

Dorothy Smith, Whiton Hall, May 20.

#### SIDEWALK ASSESSMENTS.

A communication was received from the Commissioner of Public Works submitting cost of constructing edgestone and artificial stone sidewalks on Parkman street, Ward 16, amounting to \$3,298.14, half of said cost to be assessed on owners of record of estates bordering thereon, together with the following order:

Ordered, That the persons named in the foregoing schedule be and the same are hereby assessed the sum set against their names as their proportionate parts of the cost of constructing sidewalks and edgestones in front of their estates bordering on Parkman street, both sides; from Dorchester avenue to Adams street, Ward 16, and the same is ordered to be certified and notice given to the persons as aforesaid.

Passed under suspension of the rule.

#### APPOINTMENT OF TRUSTEE, STATISTICS DEPARTMENT.

Notice was received of the appointment by the Mayor of Edward G. Graves, 388 Meridian street, East Boston, to position of trustee of Statistics Department.

Placed on file.

#### APPOINTMENT OF LIBRARY TRUSTEE.

Notice was received of the appointment by the Mayor of Rev. Arthur T. Connolly, 365 Centre street, Jamaica Plain, to position of trustee of the Boston Public Library.

Placed on file.

#### APPROVAL OF CONSTABLE'S BOND.

The constable's bond of Philip C. Wolff, having been duly approved by the City Treasurer, was received and approved.

#### STORAGE AND SALE OF GASOLINE.

Notice was received from the Street Laying-Out Department of hearings on petitions for storage and sale of gasoline on Monday, May 16, viz.:

Joseph Corman, 915 Washington street, Ward 7, 2,000 gallons.

Emma Sampson, 303 Freeport street, Ward 16, 1,000 gallons.

Referred to the Executive Committee.

#### MINORS' LICENSES.

President HEFFERNAN submitted report recommending granting of licenses to twenty-seven newsboys and seven vendors. Licenses granted on usual conditions.

#### MORTON STREET IMPROVEMENT.

President HEFFERNAN called up, under unfinished business, No. 2 on the calendar, viz.:

2. Ordered, That under authority of chapter 325 of the Acts of 1925 the sum of \$100,000 be and hereby is appropriated to be expended by the

Board of Street Commissioners for Morton Street Improvement, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount, the same to be issued outside the limit of indebtedness.

On April 18, 1927, the foregoing order was read once and passed, yeas 16, nays 0.

The order was given its second and final reading and passage, yeas 19, nays 0.

#### EQUIPPING NURSES' HOME.

President HEFFERNAN called up, under unfinished business, No. 3 on the calendar, viz.:

3. Ordered, That the sum of \$40,000 be and hereby is appropriated to be expended by the trustees of the Boston City Hospital for Nurses' Home, Furnishing and Equipping, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On April 18, 1927, the foregoing order was read once and passed, yeas 16, nays 0.

The order was given its second reading and passage, yeas 19, nays 0.

#### SIDEWALK ON WILLOWWOOD STREET.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Willowwood street, both sides, from Woodrow avenue to Norfolk street, Ward 14, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from from 5 to 12 feet in width, and to be built of granolithic with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### HOMEOPATHIC HOSPITAL BUILDINGS.

Coun. WILSON offered the following:

Ordered, That the Institutions Commissioner, through his Honor the Mayor, be and he hereby is respectfully requested to investigate and report to the City Council with reference to the availability and possible purchase price by the City of Boston of the Homeopathic Hospital buildings for use of same by the chronic sick.

Coun. WILSON—Mr. President, on Monday, March 14, action was taken by this Council after some hours of debate, with reference to the Long Island proposition. From the reports we received, neither the Finance Commission nor the Mayor of Boston were in favor of abandoning the almshouse and hospital at Long Island; both the Finance Commission and the Mayor of Boston held out hopes of later addition or substitution of a chronic hospital on the mainland. If that is so, what more proper spot could there be for such a chronic hospital than the buildings of the Homeopathic Hospital, near the City Hospital, which buildings I understand are now on the market for sale.

The order was passed under suspension of the rule.

#### PRICES TO BE CHARGED AT PARK CONCESSIONS.

Coun. McGRATH offered the following:

Ordered, That the Park Department be requested, through his Honor the Mayor, to include in the requirements which must be observed by the successful bidders for refreshment and other concessions in the parks of the City of Boston, a stipulation that all articles shall be sold at the prevailing price charged throughout the city for similar merchandise.

Coun. McGRATH—Mr. President, I introduce this order at this time because of the fact that they will be soon letting the concessions on the various parks and playgrounds of Boston, and it does seem too bad, when we spend so much money on maintaining the parks for the pleasure of the people, that certain individuals obtaining concessions in connection with the parks, should endeavor to derive

benefits to a degree beyond which they are entitled, by charging practically any prices they want for hot dogs, ice cream and various things that people desire in the way of refreshment. So I believe in the future the Park Department should not allow such people to take advantage of the citizens, but should compel them to charge the same prices that are charged by competitors on the outside.

The order was passed under suspension of the rule.

#### PAVING OF WALNUT PARK ROAD.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Walnut Park road, Ward 11.

Passed under suspension of the rule.

#### SHOWER BATHS AT AQUARIUM.

Coun. MAHONEY offered the following:

Ordered, That the Park Department be requested, through his Honor the Mayor, to repair the shower baths at the Aquarium, South Boston.

Coun. McGRATH—Mr. President, will the gentleman who introduced that order in regard to shower baths at the Aquarium explain it? (Laughter.)

Coun. MAHONEY—Mr. President, in answer to the councilor from Dorchester I would simply say that this is for the benefit of the tennis players there. They have been using the shower baths at the Aquarium all the season, and they are now in very poor condition.

The order was passed under suspension of the rule.

#### REPAVING OF THIRD STREET.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Third street, from B street to Dorchester street, Ward 6.

Passed under suspension of the rule.

#### QUARTERS FOR THOMAS J. FITZGERALD POST.

Coun. MAHONEY offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to provide permanent quarters for Thomas J. Fitzgerald Post, Veterans of Foreign Wars, in the building owned by the Fire Department at Dorchester and Fourth streets, South Boston, and now used as a place for storage.

Passed under suspension of the rule.

#### REPAVING LINDEN STREET.

Coun. DOWLING offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to resurface Linden street, Ward 21, from Cambridge street to Brighton avenue.

Passed under suspension of the rule.

#### RECESS.

The Council voted, on motion of Coun. PARKMAN, at 2.56 p. m., to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President HEFFERNAN at 3.37 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted reports as follows:

1. Report on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.: Bessie Ferguson, Jordan Hall, May 10; Gertrude Murphy, Munic-

ipal Building, South Boston, May 27; Gertrude Dolan DePetro, Jordan Hall, May 11-17; Mrs. W. S. Butler, Mechanics Building, May 7; Alice M. Sullivan, Odd Fellows Hall, May 5; Dorothy Smith, Whiton Hall, May 20, that leave be granted under usual conditions.

Report accepted; permits granted on usual conditions.

2. Report on constables appointed for the term of one year, beginning May 1, 1927 (referred April 11),—that the list of names here submitted be approved as constables and the remaining names be laid on the table.

The list is as follows:

Julius Ansel, Ralph J. Banks, Daniel J. Barry, Ernest M. Bellows, David Belson, Joseph W. Bennett, Carl Birger Berg, Theodore R. Bernson, George W. Bloomberg, George A. Borofski, Thomas F. Brett, Charles B. Broad, George W. Brooker, James L. Brooks, Warren A. Brown, Louis Budd, Henry P. Burns, Sherman H. Calderwood, Atlanta Campagna, James A. Canton, Daniel B. Carmody, Thomas C. Carr, William S. Casey, Morris Chalfin, Hyman Charney, William K. Coburn, William F. Cogan, Louis Cohen, Denis J. Collins, William A. Collupy, Arthur E. Connor, William S. Cooper, Albert A. Cosby, Charles Cunio, James T. Curran, James B. Cushing, Joseph P. Cutter, August P. D'Arcy, William Davis, Thomas J. Donnellon, Joseph F. Downey, George G. Drew, Charles W. Duran, Louis Ebb, Frank R. Farrell, Thomas Fee, Michael J. Field, Daniel G. Finnerty, Thomas Freedman, Harris Friedberg, Gerald W. Garten, Paul R. Gast, George L. Gilbert, James W. Gilmore, Maurice J. Glick, Louis Goldberg, Samuel Goldkrand, Samuel Goldmeier, Samuel Goldsmith, Joseph M. Goode, Edmund C. Brady, John S. Grady, Joseph Granara, Sears H. Grant, Salvatore Grassa, George W. Green, Harry Greenbaum, William C. Gregory, Joseph Guttentag, Joseph S. Halbert, Charles F. Hale, St. Clair E. Hale, John F. Halligan, James P. Hayes, John D. Hayes, John H. Howard, Jacob Isgur, Walter Isidor, Charles H. Jackson, Walter E. Jackson, Max Jacobs, David Kaplan, James Kaplan, David Keller, Francis E. Kelly, Joseph F. Kelly, William H. Kenney, Thomas J. Killian, Thomas H. King, Thomas E. Kittredge, Clarence H. Knowlton, Bronis Kontrim, Mark H. Krafur, Abraham Krinsky, William J. Lally, Martin J. Leggett, John J. Levy, Antonio Longarini, Joseph G. Luke, William J. MacDonald, Salvatore Maffei, Bernard H. Magee, Samuel Mandelstam, John C. McCluskey, William E. McIlvane, Anthony D. McMann, John A. McMeniman, John B. Mikalauskas, William P. Miles, John J. Miller, Patrick J. Monahan, John J. Moriarty, Andrew W. Murphy, Joseph M. Murphy, Elmer S. Nyman, Michael W. Ober, Daniel W. O'Brien, James E. O'Brien, James F. O'Donnell, Michael O'Donnell, George F. Oliver, Joseph J. O'Mara, Jefferson H. Parker, Phillip S. Phillips, Leland C. Pierce, Benjamin F. Powell, James A. Quinn, George A. Ramacorti, Robert Reid, Davis Reinherz, Bartholomew F. Roach, Joseph H. Ryan, Philip Saklad, Robert E. Scott, Barnet Serkin, Samuel Shain, Frank Shaw, Sidney J. Sheinfeld, Joseph P. Silsby, Abraham Singer, Edward F. Slager, Henry J. D. Small, George C. Souther, Arthur J. Sullivan, Jerome Suvalle, Bernard A. Swansey, Benjamin J. Tackeff, Walter R. Tarbett, Joseph H. Tirrell, Francis J. Tohin, Joseph Todisco, Joseph M. Torr, Jeremiah A. Twomey, Aber Uckerman, Sidney A. Vinton, Adolph Vogel, John J. Walsh, Charles F. Weinberg, Abraham I. Weiss, Richard W. Whipple, Thomas F. Womboldt, Hugh Wyllie, Maurice Zeeman.

The report of the committee was accepted.

Coun. WILSON—Mr. President, the subcommittee appointed to report for proper action the proposed confirmation of the list of 205 constables of the City of Boston reappointed by the Mayor as authorized to serve civil process upon filing of bonds for the year commencing May 1, 1927, reports as follows:

Notice to appear before the committee at 3.15 p. m. on April 28 having been mailed each constable your committee sat on that afternoon and at a public hearing considered the names of each constable separately. Of the 205 listed, 39 failed to answer their names, 152 answered and no objection to appointment was raised, and 24 constables were challenged.

Your committee thereupon heard all complaints severally in executive session, and adjourned until 10 a. m. Friday, April 29, to offer a full and fair opportunity for each of the 24 challenged officers



severally to respond in person to any charges made. Hearings were concluded Friday afternoon. Many charges and criticisms directed against some of the officers appeared of doubtful merit; in other cases it has been considered advisable not to report favorably at the present time. Of the 205 names listed on the attached list your committee therefor recommends confirmation of the 163 names not marked; a majority of your committee recommends that the 42 marked names be laid on the table at this time.

Your committee, as was naturally anticipated, of course found a large majority of our constables courteous, well qualified and experienced,—men rightly depended upon to serve civil process as officers of the law with all due regard for the individual rights of the citizens of our city under the law. But the wisdom of reliance upon certain other constables properly to exercise the duties of the office may well be questioned.

The committee feels that the list of constables should not be passed annually in any purely perfunctory manner, but rather that the real interest of the public suggests the advisability of some examination into the personal qualifications of these public officials, or at least a well-defined opportunity for the citizens of the city annually to lay before this body any merited complaints against such constables as may appear clearly to have abused the power of their office.

It appears that the public at large is not cognizant of its right to complain at any time to the office of the Mayor with reference to an unfit constable, and therefore the annual confirmation of the Mayor's reappointments is a convenient and appropriate time periodically to take stock.

It is the earnest belief of certain members of your committee that a more general restriction in the number of constables for the City of Boston, and more stringent requirements for appointment, would enure not only to the welfare of the general public but prove of distinct benefit to the scores of experienced and competent constables who are admittedly a credit to their office.

Of distinct advantage also might be the early passage of a legislative act increasing the size of civil writs which may be served by constables from \$300, as at present, to \$500. In other words the City of Boston, and its officials, would both benefit by qualifying fewer and more competent constables but with increased responsibility.

Finally, your committee recommends that it be not discharged at this time but that it may be permitted further to consider the 42 names not reported for confirmation at this time, as well as such other and further constable appointments as may be made during the balance of 1927, subject to confirmation by this Council.

Committee, Coun. McMahon, McGrath, Ruby, Ward, Wilson.

The question came on confirmation of the names reported.

Coun. WARD—Mr. President, I would like to have three of the names voted back favorably by the committee voted on separately, if we are going to vote on the entire list. There are three names on the list that I do not wish to vote for at this time. I am perfectly willing to vote for the rest.

President HEFFERNAN—What are the names?

Coun. WARD—Harry Greenbaum, Jacob Isgur and William S. Cooper.

On motion of Coun. WARD, the three names just referred to were excepted, and the question came on confirmation of the others. President HEFFERNAN appointed as a committee to receive, sort and count ballots Coun. Englert and Ruby.

Coun. WILSON—Mr. President, as chairman of the Committee on Constables, I would state that the name of William S. Cooper was held up, and that the objection was afterwards withdrawn. I now understand that Coun. Ward wishes the name still held up. That being the case, I would like to have additional information.

President HEFFERNAN—The Chair would say that we are voting on the other names. If there is no objection, we will now proceed to the question of confirmation on the names as reported, with the three just referred to to be acted upon separately. When those names come up for action, the Council can do as it wishes.

(The committee proceeded to collect, sort and count ballots, and the names of constables as reported by the committee, with the exception of

Harry Greenbaum, Jacob Isgur and William S. Cooper were confirmed, yeas 18, nays 0.)

President HEFFERNAN—The question now comes on the confirmation of the other three names—Harry Greenbaum, Jacob Isgur and William S. Cooper.

Coun. RUBY—Mr. President, with reference to those three names, I understood that one of those names, the name of Mr. Cooper, was held up in committee. With reference to the names of Greenbaum and Isgur, certain objections were made to both of those men, jointly. It seems that one of the constables was assisting another in the performance of his duty. This particular complaint was heard by the committee on Thursday afternoon and Friday morning, and the two constables themselves put in an appearance and explained their end of the matter. In consequence of their explanation, the two constables were acted upon favorably by the committee, after listening to the complaint, and after hearing a man, whose name I don't think it is necessary to mention at this time, who came in and said that he had been a party to this particular transaction, not speaking from the side of the constables themselves, and that he felt that the constables had acted in a decent manner and should not be held up at this time. I think the committee gave particular attention to this case, and it was only after a careful investigation that the two men were passed upon favorably with the rest. I do not feel that at this time those two men, who have acted as constables in previous years, should be held up. I believe that in fairness I should make this statement at this time with reference to the name of Isgur. Some months ago, he, acting properly and within his rights on an execution, went to the home of a very dear friend of mine at half past six in the morning and placed this man under arrest on a legitimate proposition. I was communicated with at the time. I called at the home of this fellow, who is a man with a wife and family, and asked the constable to release the man and that I would agree to have him in court at 11 o'clock that morning, knowing as he did and as I did that when the man was released he was released, and I had never seen the constable before. But when I introduced myself to him, he said, "All right, I will let this fellow go on your word that he will be there at 11 o'clock." I had the man in court at 11 o'clock that morning, as per agreement. And when Coun. McMahon, if I may use his name, asked this constable in the committee room if he would do the same thing if a request were made by any member of the City Council, under the circumstances, he said, "Yes, I would take the word of any counselor of the City of Boston and do the same thing for that counselor as I did for Coun. Ruby." I simply mention this to show the calibre of the man upon whose name we are now going to vote. I think both of those men convinced the committee, after investigation, that they were acting within their rights, and I hope the members of the Council will vote to confirm the appointment of those two constables.

President HEFFERNAN—The question is on the confirmation of the appointments. The Chair will appoint Coun. Donovan and Dowling a committee to receive, sort and count ballots on confirmation of the appointment of Greenbaum, Isgur and Cooper.

The committee performed the duty assigned and reported as follows:

Whole number of ballots 19; necessary for confirmation, 10; yeas 14, nays 5, and the appointments of Harry Greenbaum, Jacob Isgur and William S. Cooper were confirmed.

Coun. WILSON—Mr. President, I understand that there are quite a few constables waiting to see whether they are to be confirmed or not, having the question of the filing of bonds, and so on, to consider, and for that reason, I think it would be well to have the names of the forty-two who are being held up at the present time read. All the others whose names are not mentioned, are confirmed.

City Clerk Donovan read the names of the forty-two referred to, as follows:

A—Carleton N. Baker, H—Alcek Berg, A—Morris Berkman, A—Jacob Berman, T—John H. Brady, A—Thomas A. Brannely, A—John M. Brennan, H—John J. Buckley, A—Eugene F. Canney, T—Thomas Cannizzaro, H—Matthew W. Chait, A—Nathaniel M. Clark, A—Barney DeLucca, A—Crescenzo Desimone, A—Paul V. Diuccio, A—Saverio Didonato, A—John E. Dowl-



ing, A—William L. Frost, A—Reny Goduti, A—Hugh F. Kiernan, A—William H. Kivlan, A—William J. Lally, of Old South Building, A—John F. Laundry, T—Barnet Levenbaum, A—Calvin E. A. MacKenzie, A—John D. Maguire, A—Edward J. McTiernan, A—Edward F. Murphy, A—William F. O'Connell, A—John A. Packard, H—Corrado Palladino, A—Frank J. Penney, A—Howard W. Pinn, A—George M. Potter, R—Maurice Rosenberg, A—James P. Rosenfield, A—Herbert D. Sawyer, A—Benjamin Schnetzer, T—Roman J. Vasil, A—Arthur W. Wade, H—Albert V. Walton, T—John F. Welch.

President HEFFERNAN—The question comes on laying the names just read on the table.

Coun. McMAHON—Mr. President, I notice the name here of Maurice Rosenberg. I understand that he has already resigned.

President HEFFERNAN—Well, inasmuch as we have no official notice of that, I suppose whatever action we take here will stand.

Coun. WARD—Mr. President, the statement just made by Coun. McMahon suggests the possible position that some of these members may be put in. Here they are, all being treated alike, although the action taken in holding these names up, I understand, is taken for different reasons. Some are men whom some of us feel should be rejected as not fit for duty, not fit to be constables, but some, I understand, are held up for entirely different reasons. Some of them, for instance, did not appear before the committee, perhaps from inability to do so or from some other cause. It does not necessarily reflect on them, and no doubt a number of men in this list are perfectly competent and proper men to attend to the duties of constables. But the fact remains that these names have gone to the press, and it holds all of them up, as being in the undesirable class. I simply say this for the benefit of the press.

Coun. FITZGERALD—Mr. President, I was going to say the same thing as the councilor who has just spoken. I think the committee has taken very wrong action, having that particular thing in view, action that is very unfair to some of these constables. I really think the whole thing should be stricken from the record. Some of these men did not appear, some of them probably being unable to come before the committee at the time, and to set this thing before the public in this way is unfair to many of them. People will have a wrong impression. Such things frequently ruin a man's reputation.

President HEFFERNAN—The Chair will simply state that, from the report of the committee, it is understood that the names of these men are laid on the table either because of complaints or because they have not appeared in person. They are not rejected. They will be acted upon at some future date by the Council, and no doubt many of them will be confirmed.

Coun. WILSON—Mr. President, to allay the conscientious scruples of the councilor from Ward 3, I have no objection to reading what appears—

Coun. FITZGERALD—Mr. President, one moment.

President HEFFERNAN—For what purpose does the gentleman rise?

Coun. FITZGERALD—Mr. President, I think the remarks of the councilor are uncalled for. One of these men in whom I am interested, simply because he lives in my ward and I feel that a very great injustice is being done to him in this matter, is Hugh F. Kiernan. Mr. President, there has been a whole lot of funny work done in this committee. A number of people who had grievances went before the committee, the thing was taken up in a one-sided way, some of these men were not able at the time to come in and explain things, and this is now sprung upon us here in a way that casts a very serious reflection on some worthy men. A lot of people with axes to grind, in my opinion, went before the committee—in my opinion, no lawyers should have been on the committee, any way.

Coun. WILSON—Mr. President, do I understand that the gentleman from Ward 3 has completed his interruption to my remarks?

President HEFFERNAN—I cannot answer for the gentleman from Ward 3. I will simply say that the question is on laying these names on the table, and that that question is not subject to debate. Questions of information are in order, but no debate.

Coun. WILSON—Mr. President, I was about to say something which will probably clear up

certain phases of this matter. I was about to say before I was interrupted that against each of the names read by the Clerk is an initial. "A" means "Absent," and accordingly not even heard; "R" means "Resigned," and "T" and "H" mean "Tabled" or "Held" for further investigation and for further enlightenment. I was about to say, before interrupted, so that there might be no misunderstanding, that the names of those tabled or held are Aleck Berg, John H. Brady, John J. Buckley, Thomas Cannizzaro, Matthew W. Chait, Barnet Levenbaum, Corrado Palladino, Roman J. Vasil, Albert V. Walton and John F. Welch.

President HEFFERNAN—The question comes on laying on the table.

Coun. FITZGERALD—Mr. President, that explanation had not been made when the names were read off. I simply rise here in justice to some of these men, some of whom did not appear, for some reason or other, which had not been stated. You know, a wrong impression goes forth from the publication of names in this way in the newspapers and men are subjected to a lot of criticism. We all know how men in public life are wrongly quoted in the newspapers, things being said about them and things being inferred that are not so. One of these men just happens to live in my ward. I did not know until recently that he lived there, but I have known him, and known him by reputation. Several persons of prominence, judges, men holding high office, eminent citizens of the community, have asked me to intercede for him. Of course, I was not at the hearing. I don't know whether the charges brought against him there are true or not. But certainly, it is very strange that men high up in this city, financially and otherwise, attorneys and men of high standing, occupying important positions in the community, should appear in the number of this man, if he is not all right. I do know that a committee of this sort should not be dominated by lawyers. We all know that a great many lawyers take cases that they should not take, and many men cause writs to be served on innocent people when they see the opportunity to get the almighty dollar, and when that sort of thing is done we can all understand how unjust criticism may be brought against the men serving the writ. I have observed that it is always the lawyers who start the trouble on the constables, not the laymen, but eminent gentlemen at the bar. I don't think the gentleman from Dorchester was within his rights when he got up and talked in the sarcastic manner that he did. We all know a good deal about members of the bar. They are the ones who are criticized more than anybody else, who have to face serious charges. We have all heard for a good many years about the exorbitant fees that they charge. They don't hesitate to take any and every kind of a case, and then they come in and get these constables to serve papers, and the constables are blamed. I, for one, believe that there are too many constables, but they all have their friends, and many on the list here have held the position for a number of years. I am not greatly interested in any individual names here, but, as I say, there is this young man whose name has been read off, who lives on the same street that I do, and I feel very strongly that in this case an injustice is being done by the action we are taking, having these names placed before the public in this way, without any proper explanation. There are always two sides to every story, and when you have a young man of that sort, in whose behalf many of the big and honored men in the community, men elected by the people and appointed to high positions by the Governor of the Commonwealth in the past, vote, it makes you realize the injustice that is being done to this young man and no doubt is being done to many others by this procedure. Of course, we know that in many cases people don't pay their bills and don't take very kindly to methods which will make them pay their bills. There are people who have never owned a dollar, who don't have any property, who are not responsible, and who are always trying to dodge and evade. We all know of people who want to beat others, if they can, and when an attempt is made to bring them to account, somebody has to do the work. Perhaps you may have listened to some constituent of yours who thought he was wrongly dealt with by a constable, but you hear nothing about the landlord, the man who sold him goods and who is simply trying to get his money for them. You simply hear the complaints made about the con-

stable who served the writ, and in many cases you have heard nothing else. You have simply listened to some constituent who thinks he has a little grievance. I don't care personally what you do, but I am simply speaking in the interest of one young man in the section that I represent. You have all had your favorites, your friends, whom you have been trying to please, and you have tried to take care of them. I have not favored the procedure that has been carried on from the first. I was not interested in having secret hearings, but wished to have public hearings. I believe where charges of this sort are made against men they should be given the fullest opportunity to meet them and to remove any possible stigma that may be attached to their method of conducting their business. But there has been funny work here, there have been lawyers with axes to grind, there has been much in the deliberations of this committee that I don't think should have occurred, and I feel that I would be false to my duty if I did not arise at this time and make this statement. I am speaking particularly for this man who lives in the ward where I happen to live, the ward I represent, because, after all, what I have heard shows that other representatives in this Council are interested in the people who live in their wards and are influenced by the position they have taken. So, in justice to this man, I am making this appeal. When the name of this young man was read off here, I didn't want it to go into the newspapers in that way, that his name was held up. I would not want the people of my district to say that I sat here idly while his name was read off as one who was to be held up or rejected.

Several members addressed the Chair.

President HEFFERNAN—The Chair will rule that, the question simply being on laying on the table, it is not subject to debate. Considerable leeway has been allowed to the last two speakers. If a gentleman rises for information, that is one thing, but the question is not subject to debate.

Coun. McGRATH—Mr. President, I rise to a question of personal privilege.

President HEFFERNAN—The gentleman will state his question of personal privilege.

Coun. McGRATH—Mr. President, I wish to say a word, as a member of the committee. Something has been said about the committee, and I feel that it is proper under the circumstances that I should rise to a question of personal privilege and say a word for the committee.

President HEFFERNAN—The gentleman will proceed, if there is no objection.

Coun. McGRATH—Mr. President, I am not an attorney and I can, therefore, speak as one who is pure in answer to what the gentleman from Ward 3 has just said. (Laughter.) I think he will agree with me that the name of the man to whom he has just referred appears down toward the end of the list, the man about whom he is aroused. All I will say about that man is this, that I had nobody come to me in his interest, nor anybody opposed to him, but it was the attitude of the man in that room that settled the question in my mind. I have never sat on a committee while I have been a member of the Council that worked so diligently as did this committee in the matter of the investigation of constables. They gave two hearings, one in the afternoon, and the next the next forenoon, at ten o'clock, hearing the cases until after six o'clock. We questioned every man who came before us, and any man who had a complaint to make, listening to the complaint. But, in regard to the man from the gentleman's district, it was his attitude before the committee that led me to vote to table him. When one member of the Council asked a question, he accused the member of being interested, insulting the committee, and saying to the man who asked him a question, "I will get you," and then repeating the threat. I said to that man, "You are not here showing the proper spirit. If that is the spirit you show when you are serving a writ, you are not the type of man who should go into any place, into any home, for any such purpose." I will say here that I am opposed to the majority of the constables in the city, and if I continue to be member of the Council I will vote to cut down the number of men now on the list, if I have an opportunity to do so, because I feel that there are abuses and I feel that there is a great hardship to many people because of the way in which they work. Many of them working for credit clothing houses or furniture houses, go to homes and collect money which they have no authority to collect. No man who uses undue intimidation towards women folks, who goes in and

threatens people with false arrest, should be allowed to continue on the staff of constables, and I say that many of the men, men who were under charges, came here in a threatening way, showed a threatening manner. When we sent the City Messenger out to inform certain men to come in, he would be told by some of the men gathered there that they didn't care to be bothered by this sort of thing, didn't care to wait around. I said in such cases that they needn't wait any longer, if they didn't wish, that they could continue with other business but not as constables, as far as I was concerned. In regard to the man referred to, whose name has not been mentioned, and I do not mention it now, I don't think he is a fit man to be on the constables' staff. He came in and insulted the chairman and didn't care anything about any complaints that might be made. When he was asked if he wouldn't like to hear them he said "No, I am not interested in the matter. I don't want to talk to you. There is only one decent fellow sitting in the room, and he is not a member of the Council," and then he turned around and told a member of the Council twice that he would "get him." I certainly thought the man was not qualified to have my sanction to go out and arrest people in this city. I simply say that most of these constables are on probation and I say to any constables who may be within the hearing of my voice, guard yourselves, because if I am in this body again, I will be in this Council against any constables that I feel are lax in their duty, and it is my conviction that the list should be considerably thinned out.

Coun. RUBY—Mr. President, I will ask the indulgence of the members of the Council for a moment, if I may do so as a member of the committee and also a member of the legal profession, to say a word or two in answer to the accusation of the councilor from Ward 3 (Coun. Fitzgerald).

President HEFFERNAN—Coun. Ruby asks unanimous consent. Is there objection?

Coun. FITZGERALD—Mr. President, I object. The Council voted to put the list of names of constables referred to on the table.

Coun. RUBY—Mr. President, I rise to a question of personal privilege.

President HEFFERNAN—The gentleman will kindly state the question of personal privilege.

Coun. RUBY—Mr. President, I would like to state to members of the Council just a word pertaining to some of the duties of members of the City Council.

President HEFFERNAN—Coun. Ruby asks unanimous consent to make a statement. If there is no objection, Coun. Ruby will proceed.

Coun. RUBY—Mr. President, I am not disturbed by what my good friend, the councilor from Ward 3 (Coun. Fitzgerald), has said with reference to the question of the constables upon whom we have acted this afternoon. I say "my good friend" because I think we understand each other. But I do think it is unnecessary for any of us to get disturbed unduly about the matter that he has brought up. It is true, however, that this committee, honestly, conscientiously and fairly tried to do their work, and has received criticism at the hands of my good friend, the councilor from Ward 3. In this connection I might say that Coun. Bush and myself—if I may use Coun. Bush's name—were the only two members of this body who voted against the method which the Council decided to follow with reference to constables of the City of Boston this year. When the question of the investigation of the constables was presented at the last meeting, Coun. Bush and Ruby were the only two men who stood on the floor of this Council and voted against this method in investigation, and if the councilor from Ward 3 (Coun. Fitzgerald) was here on that day he must necessarily have voted in favor of this method of investigation. Having done that, if he had taken the pains to go into the hearing room on Thursday afternoon and Friday morning and listen to the proceedings with reference to these men who, after all, are citizens of this city and are responsible to us, would have heard complaints of some of the most dastardly actions made against some of the constables who have been held up this afternoon. You have not heard some of the complaints that we heard. The councilor speaks of lawyers holding up people, but we heard of cases where it was claimed that for bills of \$12 or \$13 poor unfortunate were held up by constables and had to pay \$60 and \$70 on the bill, through unscrupulous constables who were engaged, without even the assistance of these so-called unscrupulous lawyers that



he speaks of. I believe no councilor in this body should take it upon himself to stand up here as the councilor has and attack the legal, medical or any other profession in any such manner as we have heard lawyers attacked here this afternoon. It is unfair to us who happen to be members of the legal profession. I, for one, don't feel that I have to offer any apology to the councilor from Ward 3 for the business I am engaged in. I have been engaged in that line of business for thirteen years, and I feel that I may take some personal pride in the way that I have conducted myself in it. I hold no brief for the profession, but it is an honorable profession, and I think it needs no apology from its members in this body or in any other place. As a member of the legal profession, I will simply answer for myself as well as I can. I think it is unfair of the councilor to make the statement he did. In the first place, I don't think that he was referring at all to the constable to whom the councilor from Ward 13 (Coun. McGrath) referred. He was referring to a young chap for whom I have the highest regard, not at all the constable who has been referred to here as insulting the committee. I know the young man who has been referred to as well as the councilor from Ward 3 knows him, and in my opinion he is one who will act properly and with ability as a constable of the City of Boston. I will say, however, entirely apart from the individual merits of different constables, if the councilor from Ward 3 was opposed to this kind of investigation by a subcommittee it was his duty to vote as I did and as Coun. Bush did a week ago, against this method of investigation.

3. Report on message of Mayor and order (referred today) relative to alterations of Ashland Street Bridge—that the order ought to pass.

Report accepted; said order passed.

#### COMMITTEE ON JITNEY LICENSES.

Coun. WARD, for the Committee on Jitneys, submitted reports as follows:

1. Report on petition of Boston Elevated Railway Company to operate motor vehicles between Mattapan station and the junction of Hyde Park avenue and Ashland street via Mattapan square, Oakland street, Ashland street, Canterbury street, and Hyde Park avenue, returning via Ashland street, Oakland street and Mattapan square—that same ought to pass.

Coun. DOWD—Mr. President, I would like to ask the chairman of the committee whether the route proposed for the buses is over streets on which the Elevated Railway still maintains tracks and whether, if there are now tracks there, they are to be abandoned?

Coun. WARD—Mr. President, the chairman of the Committee on Jitneys cannot answer that question, because it is not my district. Probably the gentleman from Hyde Park can answer the question better than I can.

Coun. WRAGG—Mr. President, I was very much surprised to find that the committee reported favorably on that matter without first calling the councilor from the district in to the hearing. With last year's committee it was always the custom of the chairman to invite the councilor from the district involved to be heard. I am opposed to this permission in its present form, because on Oakland street at the present time there are tracks which I understand the Elevated intends to tear up when Ashland street is reconstructed. There is in circulation at the present time a petition of citizens along the line that the tracks be left there and that

the buses be not put on. So I am going to ask that this matter be laid on the table.

Coun. GILBODY—Mr. President, I have a chip on my shoulder now.

President HEFFERNAN—For what purpose does the gentleman rise?

Coun. GILBODY—In connection with the original report of the committee.

President HEFFERNAN—The question is on laying the matter on the table, and that is not debatable.

Coun. GILBODY—Mr. President, I rise to a question of personal privilege.

President HEFFERNAN—The gentleman will state his question of personal privilege.

Coun. GILBODY—An attack has been made on the Committee on Jitneys, and I desire to make a statement.

President HEFFERNAN—The gentleman asks unanimous consent to make a statement. If there is no objection, the gentleman may proceed.

Coun. GILBODY—Mr. President, as a member of the Committee on Jitneys I desire to say that I inquired and understood that the gentleman concerned, in whose ward the lines were being granted, was in accord with the petition. Otherwise, I certainly, as a member of the committee, would not have voted in favor of the report.

It was voted to lay the report on the table.

2. Report on petition of Boston Elevated Railway Company to operate motor vehicles between Park square and the North Station via Charles, Leverett and Causeway streets, returning via Portland, Traverse, Merrimac, Lowell, Brighton, Leverett and Charles streets—that same ought to pass.

Coun. WILSON—Mr. President, with reference to the petition of the Elevated to be allowed to run jitney buses from the North Station to Park square, I personally am very much opposed to the granting of any petition. It seems to me a waste of money to use that jitney line to supplant the subway system on which we have spent millions of dollars, which runs practically directly from the North Station to Boylston street. It seems to me if anybody wishes to take that trip he should use the route upon which we have expended an enormous amount of money, a route which properly should be used for just that purpose. Then, anybody living in the vicinity of Charles street can walk a few hundred yards and take a surface car line. It seems to me an unusual thing for the Boston Elevated to request that it be allowed to put a jitney line on this particular route, not only because it is supplementing and paralleling the subway system but because it is adding congestion to our already congested streets in the center of the city. If the Boston Elevated has any money to spend, I would prefer to see it spent in the outlying districts, such as West Roxbury and Dorchester, where in places they do not have a choice between subway and jitney lines, and where there are not facilities already afforded to go from one point to another.

On motion of Coun. GUILD the report was laid on the table.

#### GENERAL RECONSIDERATION.

On motion of Coun. FITZGERALD, a general reconsideration of all action taken today was refused.

Adjourned, at 4.20 p. m., on motion of Coun. BUSH, to meet on Monday, May 9, at 2 p. m.





## CITY OF BOSTON.

## Proceedings of City Council.

Monday, May 9, 1927.

Regular meeting of the City Council, in the Council Chamber, City Hall, at 2 p. m., President HEFFERNAN in the chair, and all the members present.

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council the following appointments were submitted by the Mayor:

Weighter of Goods: F. S. Hopkins, with Jenness Brothers & Co., Inc., 55 Fargo street, Boston.

Weighter of Coal and Weighter of Goods: Albert E. Robertson, with George H. Lincoln Company, 609 Main street, Wakefield.

Severally laid over a week under the law.

## PIER AT HEADHOUSE.

The following was received:

City of Boston,

Office of the Mayor, May 5, 1927.

To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department in reply to your order of April 25, 1927, in relation to repairing pier leading from Headhouse at South Boston.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, May 3, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of April 28, with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to provide for the repair of the pier leading from the Headhouse at South Boston.

In reply I desire to inform you that two contracts were awarded for this work early in April, one of which has been completed and the other is in process of completion.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Placed on file.

## QUARTERS OCCUPIED BY MAHONEY POST.

The following was received:

City of Boston,

Office of the Mayor, May 5, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Public Buildings Department in reply to your order of April 4, 1927, in relation to placing in suitable condition the quarters occupied by the Mahoney Post, Veterans of Foreign Wars.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Buildings Department, April 29, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston,

Dear Sir,—Replying to the inclosed order of the City Council that the Superintendent of Public Buildings be requested, through his Honor the Mayor, to place in suitable condition the quarters occupied by the Mahoney Post, V. F. W. on Elmwood street, Roxbury,

I wish to say that as soon as the budget for the Public Buildings Department has been passed and approved I will pay a visit to this building and make any repairs that are necessary to protect the city's interest in the property.

Respectfully yours,  
JOHN P. ENGLERT,

Superintendent of Public Buildings.  
Placed on file.

## COST OF FIRE APPARATUS.

City of Boston,

Office of the Mayor, April 30, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communication from the Supply Department in reply to your order of April 4, 1927, in relation to cost of five 750-gallons pumpers purchased for Fire Department from the American LaFrance Company.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

American LaFrance Fire Engine  
Company, Inc.

1265 Boylston street, April 11, 1927.

Mr. Herbert Frost,

Superintendent of Supplies.

Dear Mr. Frost,—Acknowledging your recent telephonic request for apparatus price comparisons.

Our company has always maintained an exact standard in chassis specifications, although we depart from standard when required in the matter of accessories and body work. Deviation, whether one of omission or addition, upsets the established routine of production.

In order to produce a standard chassis, there is involved engineering and design expressed in drawings, patterns, dies, templates, tools, etc. There is also involved the familiarity of our factory employees in the design and construction of our standard chassis gained through long experience and repetition of operation.

Departures from said standard to meet requirements of a customer require consultations between salesman, department representative and engineers involving expense in addition to cost of the changes in established practice and the cost of the items themselves. Special items required by Boston greatly outnumber those specified by St. Louis.

The company has to duplicate the special items and agrees to maintain a stock devoted only to Boston Fire Department at their Boston Branch; an imposed expense additional to those above mentioned.

We believe this satisfactorily answers your inquiry and justifies our prices.

Very truly yours,  
JOSEPH A. WEBBER,  
Sales Representative.

Placed on file.

## TRANSFER OF LAND ON SCHOOLHOUSE COURT, CHARLESTOWN.

The following was received:

City of Boston,

Office of the Mayor, April 22, 1927.  
To the City Council.

Gentlemen,—I hereby transmit the attached order of transfer. This order refers to a parcel of land on Schoolhouse court, Charlestown, Boston, Mass., given by George Holden Tinkham and others, for play purposes. This parcel of land was accepted by the City Council on January 12, 1920, and the acceptance approved by the then Mayor on January 13, 1920, and has been under the jurisdiction of the Park Commissioners.

The Schoolhouse Commissioners wish to enlarge the play yards of the Bunker Hill and Thomas Starr King Schools and have voted to take, subject to my approval, five parcels of

land. The above-mentioned parcel is needed in addition to these five, to provide necessary play space.

The Park Commissioners voted, as of September 16, 1926, to request me to forward this order to you, and I respectfully recommend its passage.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the parcel of land on School-house court, Charlestown, Boston, Mass., be and hereby is transferred from the Park Department of the City of Boston to the School Committee of the City of Boston for play purposes in connection with the Bunker Hill and Thomas Starr King Schools, Charlestown.

Referred to the Executive Committee.

#### PARK AT CENTRE AND BICKFORD STREETS.

The following was received:

City of Boston,  
Office of the Mayor, May 6, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department in reply to your order of April 25, 1927, in relation to establishing of park at Centre street and Bickford street, Jamaica Plain.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, May 2, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of April 28, 1927, with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to consider the advisability of taking, for park purposes, the lot of land on Centre and Bickford streets, Jamaica Plain.

In reply I desire to say that after an inspection of this property by the Park Commissioners and the landscape architect, it was deemed inadvisable to recommend the purchase of same, due to the fact that the area is too small, only part of the property would be sold, there is a large and dangerous reservoir connected with it and it is in close proximity to the Mozart Street Playground.

The difference between public and private ownership in pleasant naturalistic layouts like this one is most remarkable and the experience of the Boston Park Department has shown the destruction that awaits sloping grass land of this kind or even grass on any surface where intensive use is involved. The proximity of the ground to the windows of the factory would require high protective screens, and the deep reservoir adds another complicating feature.

If it were possible to urge the owners to continue the maintenance of this charming spot for the private use for which its layout seems peculiarly adapted, it would be of considerable benefit to the neighborhood.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

#### L STREET BATHS.

The following was received:

City of Boston,  
Office of the Mayor, May 6, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department in reply to your order of April 25 in relation to resanding of the L Street Baths.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, May 3, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of April 28, with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to provide for the resanding of the L Street Baths.

In reply I desire to say that the Board of Park Commissioners feel that the sand which has been washed up to the walk can be placed back on the beach, thus covering over the small stones, sea shells, etc. This work will be completed in the near future.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.  
Placed on file.

#### BRANCH LIBRARY, EGLESTON SQUARE.

The following was received:

City of Boston,  
Office of the Mayor, May 9, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Public Library of the City of Boston in reply to your order of April 4, 1927, in relation to locating and maintaining a branch library and reading room at Egleston square, Ward 11.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Library Department, May 7, 1927.  
Mrs. I. Hibbard, Assistant Secretary,  
Office of the Mayor.

Dear Mrs. Hibbard—The order of the City Council of April 4 requesting a branch library at Egleston square was presented to the Board of Trustees at their regular meeting on May 2. The matter was referred to Mr. Gordon Abbott, who constitutes the Board's Committee on Branches.

Because of the drastic cut in the annual budget submitted by the Board, amounting to over \$121,000, it is the Board's opinion that no branch library extension will be possible this current year.

Very truly yours,  
CHARLES BELDEN,  
Director.

Placed on file.

#### CHANDLER POND, BRIGHTON.

The following was received:

City of Boston,  
Office of the Mayor, May 9, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the City Planning Board in reply to your order of February 14, 1927, in relation to taking over Chandler pond, Brighton, for park purposes.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
City Planning Board, May 5, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—In compliance with the foregoing order passed by the City Council at its meeting February 14, 1927, the City Planning Board submits the following report relative to the advisability of the City of Boston taking over Chandler pond, Brighton, for park purposes.

Chandler pond, Brighton, as indicated on the accompanying photostat, lies on the westerly side of Lake street, and comprises, according to the 1926 assessors' list, 1,249,811 square feet of land, valued at \$37,500.

At the present time, the pond on the south-east side is being filled with refuse. Four new houses have been constructed along the sewer taking between the pond and Lake street, while several other houses are under construction on the northerly side. From the work already done, therefore, and from the plans tentatively submitted to various city depart-



ments, it would appear to be the intention to eventually develop the entire area for residential purposes.

The City Planning Board is advised by the Park Department that in its opinion the area is not suitable for park or playground purposes, in view of its close proximity to Rogers Park, while at the head of Lake street is Chestnut Hill, one of the largest parks in the city, and within a short distance is Chestnut Hill Playground.

While the acquisition of the area under consideration would have certain advantages, it is a fact that this particular section of the Brighton district is apparently more fortunate, so far as recreational facilities are concerned, than is the case in many other localities.

There is also the further fact that the location of this particular area is at the extreme edge of the district and within about 1,000 feet of the Newton line.

In addition to the purchase price, which the city would be called upon to assume in case of the acquisition of the area, there would be a very considerable amount required for its development, and also a considerable annual amount for maintenance and supervision particularly if maintained as a water area.

It is the opinion of the City Planning Board, therefore, that the interests of the community would be better served by the expenditure of such sums of money as are available in the further development of Rogers Park with regard to which a recommendation was submitted under date of August 12, 1925, and in the establishment of additional playground facilities in the Faneuil district as reported upon under date of July 30, 1926.

The acquisition by the City of Boston for park purposes of the area known as Chandler pond, therefore, is not recommended.

Respectfully submitted,

THE CITY PLANNING BOARD,  
FREDERIC H. FAY,  
Chairman.

Placed on file.

#### COLUMBUS AVENUE BRIDGE.

The following was received:

City of Boston,  
Office of the Mayor, May 9, 1927.

To the City Council.

Gentlemen,—I am in receipt of the attached letter from the Commissioner of Public Works relative to the condition of that section of the Columbus Avenue Bridge which runs over the tracks of the Boston & Albany Railroad. In the opinion of the commissioner plans should be made for the reconstruction of this bridge, which, at the present time, is in very bad condition. Before any reconstruction work can be started it will be necessary to petition the Department of Public Utilities for its decision as to the necessity for rebuilding. I submit herewith an order providing for the necessary petition and respectfully recommend its adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston.

Public Works Department, March 29, 1927.  
To the Honorable the Mayor.

It has been known for some time that Columbus Avenue Bridge, over the Boston & Albany Railroad, was in bad condition. An inspection on March 23, 1927, shows that the bridge is in very poor shape, and undoubtedly it will not last another year and it may not go through this year.

Surveys and studies are being made for its reconstruction. To rebuild this bridge will cost about \$80,000, which sum could properly be obtained by loan as has been the custom in past years.

I respectfully recommend that an order be sent to the City Council to petition the Public Utilities Commission as to the necessity for rebuilding and that the usual legal re-

quirements be complied with in order that the work may be started.

The bridge should be rebuilt of steel and concrete, with all the steel encased in concrete to protect it from the action of locomotive gases.

Yours respectfully,  
JAMES H. SULLIVAN,  
Commissioner of Public Works.

Whereas, Columbus avenue, a public way in the City of Boston, crosses the tracks of the Boston & Albany Railroad by an overhead bridge; and

Whereas, We are of the opinion that it is necessary for the security and convenience of the public that an alteration which does not involve the abolition of the crossing at grade should be made in said overhead bridge and its approaches;

Ordered, That the Corporation Counsel, in the name of the City Council of Boston, apply to the Department of Public Utilities for its decision upon the necessity of such alteration, and for prescribing the manner and limits within which it shall be made; and if the decision of the Department of Public Utilities is that an alteration is necessary, that the Corporation Counsel take such legal proceedings as are necessary to have such decision carried into effect in compliance with sections 59 to 64, both inclusive, of chapter 159 of the General Laws.

Referred to the Executive Committee.

#### PETITIONS RECEIVED.

The following petitions were received and severally referred to the committees named, viz.:

##### Claims.

Waldo Carlson, for compensation for damage to automobile by city truck.

Lena Catalano, for compensation for injuries received on ferryboat.

Anthony Cerniglia, for compensation for injuries caused by an alleged defect at 131 Chambers street.

Joseph B. Corey, for compensation for collapse of boiler at 37 Glenhill road, caused by shutting off water.

Catherine Desmond, for compensation for loss of umbrella at City Hospital.

Beverly B. Dickerson, for refund on refuse tickets.

Eleanor A. Frederick, for compensation for damage to property and person caused by collision with fire apparatus.

Paul Ginsberg, for compensation for damage to automobile caused by collision with officer on motorcycle.

Jacob Glazer, for refund on fee paid for license for lunch room.

William A. Hinton, for compensation for damage to automobile by fire apparatus.

John H. Kelly, for compensation for damage to automobile by city car.

George J. Maitland, for compensation for damage to automobile caused by an alleged defect in Warren street, Brighton.

George L. Noel, for compensation for damage to automobile by sanitary cart.

Edward L. Sturtevant, for refund on building permit.

Munroe & Arnold-Merritt Express Company, for compensation for injuries to horse caused by falling into sewer hole on Portland street.

Harrison White, for compensation for damage to truck by sanitary truck.

##### Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Ethel Dwyer, Whiton Hall, May 16.

Amelia Burnham, Jordan Hall, May 23.

#### ORGANIZATION OF HOSPITAL TRUSTEES.

Notice was received of the organization of the Trustees of the Boston City Hospital by

the election of Joseph P. Manning as president and Thomas Forsyth as secretary.  
Placed on file.

#### APPROVAL OF APPOINTMENT.

Notice was received of the approval by the Commissioners of Civil Service of the appointment of W. Franklin Burnham, as member of the Board of Appeal.

Placed on file.

#### APPOINTMENTS BY THE MAYOR.

Notice was received of the following appointments by the Mayor:

Morris Bronstein, 480 Jamaica way, member of Board of Overseers of Public Welfare.

Sophie M. Friedman, 206 Bay State road, member of Board of Overseers of Public Welfare.

James J. Moynihan, 5 Rocky Hill avenue, Dorchester, member of Board of Overseers of Public Welfare.

John D. Marks, 44 Quint avenue, Allston, member of Board of Appeal.

Thomas F. Sullivan, 1736 Columbia road, South Boston, Commissioner of Transit Department.

Nathan A. Heller, 41 Howland street, Roxbury, Transit Commissioner.

James B. Noyes, 186 Bay State road, Transit Commissioner.

Severally placed on file.

#### ACTING PARK COMMISSIONER.

Notice was received from his Honor the Mayor of designation of Frank S. Deland, Corporation Counsel, to be Acting Park Commissioner, beginning at close of business May 3, 1927, in place of Myron P. Lewis, resigned.

Placed on file.

#### APPOINTMENT OF SANITARY INSPECTOR.

Notice was received from the Health Department of appointment of Joseph T. Ryan as sanitary inspector, effective April 27, 1927.

Placed on file.

#### RAILROAD POLICE.

Notice was received from the Police Department of appointment of railroad police on New York, New Haven & Hartford Railroad.

Placed on file.

#### SIDEWALK ASSESSMENTS.

A communication was received from the Commissioner of Public Works submitting cost of construction of artificial stone sidewalk on Ellington street, Ward 14, half cost of \$1,818 to be assessed according to a schedule submitted, and submitting following order:

Ordered, That the persons named in the foregoing schedule be and the same are hereby assessed the sums set against their names as their proportionate parts of the cost of constructing sidewalks and edgestones in front of their estates bordering on Ellington street, south side, Nos. 87-97, north side, Nos. 78-150, from Erie street to Greenwood street, both sides, Ward 14, and the sum is ordered to be certified and notice be given to the persons aforesaid.

The order was passed under suspension of the rule.

#### STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings to be given on May 23 on petitions for storage and sale of gasoline, viz.:

Jacob Brown, 321 Freeport street, Ward 16, 2,000 gallons.

John P. Clancy, 126 Bowdoin street, Ward 15, 2,000 gallons.

New England Rendering Company, 39 Market street, Ward 22, 1,000 gallons.

James P. Pierce, 970 Washington street, Ward 17, 3,000 gallons.

Referred to the Executive Committee.

#### CONSTABLES' BONDS APPROVED.

The bonds of the following-named constables, having been duly approved by the City Treasurer, were received and approved, viz.:

Daniel J. Barry, David Belson, George A. Borofski, Charles B. Broad, George W. Brooker, Louis Bubb, Henry P. Burns, Sherman H. Calderwood, Daniel E. Carmody, Thomas C. Carr, Hyman Charney, William K. Coburn, William P. Cogan, Louis Cohen, Arthur E. Connor, William S. Cooper, George G. Drew, Charles W. Duran, Frank R. Farrell, Thomas Fee, Thomas Freedman, Harris Friedberg, Paul R. Gast, James W. Gilmore, Maurice J. Glick, Louis Goldberg, Samuel Goldmeer, John S. Grady, Sears H. Grant, Salvatore Grassa, George W. Green, Harry Greenbaum, William C. Gregory, Charles F. Hale, St. Clair E. Hale, John D. Hayes, John H. Howard, Jacob Isgur, Walter Isidor, Max Jacobs, David Kaplan, James Kaplan, David Keller, William H. Kenney, Clarence H. Knowlton, Bronis Kontrim, Mark H. Krafur, Antonio Longarini, Joseph G. Luke, John C. McCluskey, William E. McIlvane, Elmer S. Nyman, Michael W. Ober, James E. O'Brien, Michael O'Donnell, Jefferson H. Parker, Phillip S. Phillips, Benjamin Powell, Robert Reid, Robert E. Scott, Barnet Serkin, Samuel Shain, Frank Shaw, Joseph P. Silsby, Abraham Singer, Joseph Todisco, Joseph M. Torr, Aber Uckerman, Sidney A. Vinton, John J. Walsh, Charles F. Weinberg, Abraham I. Weiss.

#### TRANSIENT VENDOR.

The application for license as transient vendor of Albert Greene, accompanied by bond for \$500 of Maryland Casualty Company, was received and placed on file.

#### LOAN FOR LONG ISLAND HOSPITAL.

President HEFFERNAN called up, under unfinished business, No. 5 on the calendar, viz.:

5. Ordered, That the sum of one million (1,000,000) dollars be and the same is hereby appropriated for new buildings and additions to existing buildings at Long Island, as well as for equipment and furniture for such new buildings and additions, all for Institutions Department purposes, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On April 25, 1927, the foregoing order was read once and passed, yeas 15, nays 6.

The question came on giving the order its second reading and passage, and the order was passed yeas 16, nays 5, viz.:

Yeas—Coun. Arnold, Donovan, Englert, Fitzgerald, Gilbody, Green, Guild, Heffernan, Keene, Lynch, Mahoney, McMahon, Parkman, Ruby, Wilson, Wragg—16.

Nays—Coun. Dowd, Dowling, Freeley, McGrath, Ward—5.

#### REPAVING OF PARK STREET.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving, Park street, from Washington street to the Midland Division of the New York, New Haven & Hartford Railroad, Ward 17.

Passed under suspension of the rule.

## PURCHASE OF ELECTRIC LIGHT POLES.

Coun. WILSON offered the following:

Ordered, That the Greater Boston Committee of the City Council investigate the practicability and estimated expense of purchasing the 6,010 electric light poles and equipment now above-ground in use by the City of Boston and eliminating by such purchase hereafter any charge per lamp per year other than a measured charge per kilowatt hour for the actual electric light current used in each electric street lamp.

Referred to the Committee on Greater Boston.

## EDISON CHARGES TO CITY.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be and he hereby is respectfully requested to obtain forthwith from the Public Utilities Commission and also from the Edison Electric Illuminating Company, for the information of the City Council, such facts and figures as may substantially determine:

1. The total amount paid by the City of Boston during the year 1926 to the Edison Light Company for the 6,000 electric lamps, more or less, maintained on the streets of the City of Boston.

2. The annual charge per lamp made to the City of Boston by the Edison Light Company during 1926 with reference to lamps in use commencing January 1, 1926.

3. What proportionate amount of the charge of \$93.42 per lamp per year made by the Edison Light Company to the City of Boston is for (a) the lamp and equipment, (b) maintenance, (c) electric current.

4. The actual present additional cost to the Edison Light Company of installing one additional electric light pole and lamp ready to light, on Massachusetts avenue, in the City of Boston.

5. The total annual charge per lamp being made by the Edison Light Company to the City of Boston for electric current supplied the 6,000 electric lights, more or less.

6. The total annual charge per lamp being made for the year 1927 by the Edison Light Company to the City of Boston for the maintenance, repairs and replacements.

7. The total annual charge per lamp being made for the year 1927 by the Edison Light Company to the City of Boston for each electric light pole and its equipment, and presumably covering amortization or depreciation of such pole and equipment.

8. The actual initial present expense to the Edison Light Company of installing one additional electric light pole and equipment on Talbot avenue, Dorchester,—connected with the present electric light system and ready to light.

9. Why it is not just as feasible and practicable for the City of Boston itself to purchase outright and own each separate electric light pole above ground as it is for the City of Boston to purchase and own each gas pole above ground.

10. Why it is not just as feasible and practicable for the City of Boston to purchase outright and own each additional electric light pole, completely installed above ground and ready to light as it is for the individual house owner of the City of Boston to install in his privately owned dwelling house all electric light equipment ready for metered use of the electric light current of the Edison Light Company.

11. Why it is not just as feasible and practicable for the Edison Light Company gratuitously to furnish electric light globes for each of the 6,010 electric lamps in use by the City of Boston on January 31, 1927, as it is for the Edison Light Company to furnish gratuitously for each individual private dwelling equipped with electric wiring a complete set of electric light bulbs.

12. The cause and items comprising the increase in the cost to the City of Boston per

lamp per year from \$89 per lamp annually in 1923 or 1924 to \$93.42 annually per lamp in 1926 or 1927.

13. The separate items which are included in the total annual price of \$93.42 per lamp together with the estimated separate cost of each said items per lamp per year.

14. The total cost per pole of each of the 123 electric light poles purchased and now in use by the Police Department of the City of Boston, not including any cost of maintenance or operation.

Coun. WILSON—Mr. President, these two orders are to a great extent self-explanatory. At the present time, I might state, as is well known by the members of the Council, the City of Boston pays the Edison Electric Illuminating Company \$93.42 annually per lamp for each of the 6,010 boulevard electric lights on the streets of our city. This includes equipment, maintenance and electric current. I believe the facts and figures will show that one third of the amount is for pole rental, on poles which could probably be purchased outright for less than \$100 each. I submit that if only \$10 on the \$93.42 is for pole rental, it means an item of \$60,000 a year on 6,000 poles, and if the rental figure is \$30 per pole, it means \$180,000 annually. The private householder buys his own electric wiring and fixtures, and pays the Edison Company only for the current used. Ordinary business efficiency would seem to suggest the city's doing likewise. If we find the City of Boston buying outright the gas light poles, it would seem equally feasible and practicable to buy outright the electric light poles. If the idea is not practicable, then why is the city able to buy its gas light poles and pay the Boston Consolidated Gas Company no rental on poles, but only for gas used? It is simply that we may obtain the facts and figures from the Edison Company, and perhaps consider the matter at an early Greater Boston hearing, that I submit this list of detailed questions.

The order was referred to the Executive Committee.

## HOMEOPATHIC HOSPITAL BUILDINGS.

Coun. WARD—Mr. President, I would like to ask if we have had any report on the order introduced by Coun. Wilson on May 2, as follows:

"Ordered, That the Institutions Commissioner, through his Honor the Mayor, be and he hereby is respectfully requested to investigate and report to the City Council with reference to the availability and possible purchase price by the City of Boston of the Homeopathic Hospital buildings for use of same by the chronic sick."

I have been wondering if a report has been received back upon that order yet?

President HEFFERNAN—No report has been received as yet.

## MORTON STREET BRIDGE.

Coun. WILSON offered the following:

Whereas, The new Morton street extension, a public way in the Dorchester district of the City of Boston, crosses over the tracks of the Midland Division of the New York, New Haven & Hartford Railroad by an overhead bridge adjacent to the Morton street station; and whereas it is necessary for the security and convenience of the public and particularly automobile traffic on Morton street that an alteration be made which shall not involve the abolition of the crossing, but which does require the widening and the repairing of said overhead bridges and its approaches now barely 30 feet wide, to the approximately 80 foot width of said highway;

Ordered, That the Corporation Counsel in the name and behalf of the City Council be and he hereby is requested and required to apply to the Department of Public Utilities for its decision upon the necessity of such alteration or alterations and for prescribing the manner and limits within which same shall



he made, and if the decision of the Department of Public Utilities is that alteration or alterations be necessary, that the Corporation Counsel take such legal proceedings as may be necessary or advisable to have such decision carried into effect in compliance with the General Laws of the Commonwealth of Massachusetts and any additions and amendments thereto.

Referred to the Executive Committee.

#### SAFETY OF FLOORS IN SCHOOL BUILDINGS.

Coun. WILSON offered the following:

Ordered, That the Schoolhouse Department, through his Honor the Mayor, be requested to advise the City Council forthwith whether the Continuation School and the new schools being constructed in Roxbury and Hyde Park will meet safe and proper engineering requirements with floor slab material composed of the slag blocks, as at present manufactured by the Republic Fireproofing Company, and further, whether, if the floors of these three schools are so constructed, the completed buildings are expected to pass and will pass the building laws of the City of Boston.

Coun. WILSON—Mr. President, at the time when an answer comes through to this question, which has been directed to the Schoolhouse Department, I will probably have some remarks of importance to make. At the present time I merely ask that the order be passed under suspension of the rule, bearing in mind the fact that if there is one class of buildings in the City of Boston that must be undeniably and assuredly safe, it is the schoolhouse buildings.

The order was passed under suspension of the rule.

#### INCINERATORS FOR REFUSE DISPOSAL.

Coun. WILSON submitted the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be and hereby is respectfully requested to advise the City Council as to the prospects, if any, of an early serious consideration of the problem of installation of incinerators for refuse disposal in at least one or more of the seven rubbish disposal districts of the City of Boston.

Coun. WILSON—Mr. President, on the second day of August, last year, an order was put into this Council requesting an estimate of the cost of incinerator installation in this city in lieu of the present antiquated and unsanitary dump system. Three months later, on the 8th of November, the Commissioner of Public Works submitted an estimate of \$4,000,000 "to properly solve the problem." He divided the city into seven districts, at varying costs, estimated at from \$335,000 up. I submit, although it may or may not take \$4,000,000 to properly solve the problem in its entirety, for all seven districts, I see no reason why a start cannot be made in one or two of the districts during the current year.

The order was referred to the Executive Committee.

#### CONDITIONS OF SUFFOLK COUNTY COURTHOUSE.

Coun. WILSON offered the following:

Ordered, That the Committee on County Accounts be instructed to make further investigation of the overcrowded conditions of the Suffolk County Courthouse and the possibility of purchasing the adjoining properties, numbered 29, 35 and 37 Pemberton square, for the construction of a suitable modern annex on said locations as well as on the dead end of Pemberton square which public areaway is now chiefly used for all day parking of automobiles.

Coun. WILSON—Mr. President, I will simply say with reference to this order that I

am moved to put it in owing to the fact that, as I understand the situation, Superintendent Englert of the Public Buildings Department and Mr. Seaver of Oak and Tyler streets, together with others, made a very conclusive and exhaustive survey of these particular buildings of Saturday of last week, and the information they gleaned may be most enlightening. Last spring the Committee on Counties heard such evidence, I think, as would warrant the belief that early and substantial additions to the present Suffolk County Courthouse are an absolute necessity. Since that time the police headquarters has been moved to Stuart street, and the former quarters are idle and untenanted. In view of the existing situation it seems to me idle to talk of locations for a new courthouse building, when adequate quarters are idle and available, adjacent to the courthouse, not only Nos. 29, 35 and 37 Pemberton square, but also with the addition of the dead-end street in Pemberton square, which at the present time so far as the naked eye can observe is used chiefly for the parking all day of automobiles. The order was referred to the Executive Committee.

#### ELEVATORS IN CITY HALL.

Coun. KEENE offered the following:

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to install electric or self-operating equipment on at least one of the new elevators in City Hall from the balance of \$15,000 still available in the \$50,000 loan passed for new elevators by the City Council.

Passed under suspension of the rule.

#### CLOSING OF COLUMBUS AVENUE.

Coun. WARD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to close Columbus avenue until such time as it is safe for vehicular travel.

Coun. WARD—Mr. President, what prompts me to present this order is the deplorable condition of Columbus avenue. Probably most of the members have had occasion to realize the condition that the street is in, but I think the greatest criterion of that is the fact that reference to our Law Department will show the number of suits that are brought against the city because of broken springs and axles of automobiles going over the avenue. Therefore, I move a suspension of the rule and the passage of the order.

The order was passed under suspension of the rule.

#### ANNUITY TO WIDOW OF FRANK H. LASKEY.

Coun. DONOVAN offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of Frank H. Laskey, late member of the Boston Fire Department, who died from injuries received in the performance of his duty, such annuity to continue so long as said widow remains unmarried, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Referred to the Executive Committee.

#### SIDEWALK TO SAVIN HILL AVENUE.

Coun. McGrath offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Savin Hill avenue, north side, from Tuttle street about 120 feet easterly, Tuttle street, east side, from Savin Hill avenue about 300 feet northerly, Ward 13, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from

5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### WALES PLACE, DORCHESTER.

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Wales place, Dorchester, as a public highway.

Passed under suspension of the rule.

#### COTTAGE PARK, WARD 15.

Coun. McMAHON offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Cottage park, Ward 15, as a public highway.

Passed under suspension of the rule.

#### PERMIT OF NEW ENGLAND TRANSPORTATION COMPANY.

Coun. FREELEY offered the following:

Ordered, That the Committee on Jitney Licenses be requested to consider the advisability of revoking the permit of the New England Transportation Company to discharge passengers on South Huntington avenue and Huntington avenue, Ward 10.

Coun. FREELEY—Mr. President, I would simply like to state, in introducing this order this afternoon, that at a recent meeting of the Jitney Committee I called the attention of the committee to the fact that the New England Transportation Company, coming in town from Providence and different places over routes where they have permits to operate, discharge passengers at the junction of Huntington and South Huntington avenues, and also at Huntington avenue and Tremont street. Both of these crossings that I refer to are in thickly congested sections. I had occasion last evening, at quarter of eleven, to watch one of their buses, which came down through there and tied up traffic for a period of about ten minutes. I called the attention of Mr. Hobbs of the New England Transportation Company, to the matter at one of the meetings of the Jitney Committee, and he told me, and promised the committee also, that from then on he would see that that sort of thing was discontinued. I move you, sir, the passage of the order under suspension of the rule.

The order was passed under suspension of the rule.

#### SILENT POLICEMAN, WARD 10.

Coun. FREELEY offered the following:

Ordered, That the Commissioner of Police be requested, through his Honor the Mayor, to install a silent policeman at the junction of St. Alphonsus street and Smith street, Ward 10.

Passed under suspension of the rule.

#### REPAVING OF SOUTH BOSTON STREETS.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement East Second street, from N to P streets, and O street, from First street to Columbia road, South Boston.

Passed under suspension of the rule.

#### CONVENIENCE STATION, CODMAN SQUARE.

On motion of Coun. WILSON, the Council took up, under unfinished business, No. 4 on the calendar, viz.:

4. Ordered, That the sum of \$18,000 be and hereby is appropriated to be expended by the Superintendent of Public Buildings for the construction of a public convenience station in Codman square, on land owned by the city, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On April 25, 1927, the foregoing order was read once and passed, yeas 21, nays 0.

The order was given its second and final reading and passage, yeas 21, nays 0.

#### RECESS.

On motion of Coun. WARD, the Council voted at 2.40 p. m. to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President HEFFERNAN at 3.39 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted reports as follows:

1. Report on message of Mayor and order (referred today) recommending transfer of land on Schoolhouse court, Charlestown, from Park Department to School Committee—recommending reference of same to Committee on Public Lands.

Report accepted; said reference ordered.

2. Report on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.: Ethel Dwyer, Whiton Hall, May 16; Amelia Burnham, Jordan Hall, May 23, that said permits be granted.

Report accepted; said permits granted on usual conditions.

3. Report on order (referred today) that Committee on County Accounts be instructed to make further investigation of overcrowded conditions of Suffolk County Courthouse and possibility of purchase of property in Pemberton square—that same ought to pass.

Report accepted; said order passed.

4. Report on order (referred today) that the Commissioner of Public Works obtain information from Department of Public Utilities and from Edison Electric Illuminating Company as to costs and charges of said company to City of Boston—that same ought to pass.

Report accepted; said order passed.

5. Report on order (referred today) requesting the Commissioner of Public Works to advise Council as to use of incinerators for refuse disposal—recommending passage of order in following new draft:

Ordered, That a special committee of five members of the City Council be appointed by the Chair to hold public hearings on the question of collection of garbage and installation of incinerators.

Report accepted; said order passed.

6. Report on order (referred today) that the Corporation Counsel apply to Department of Public Utilities for its decision as to necessity of alteration of bridge at Morton street over tracks of New York, New Haven & Hartford Railroad—that same ought to pass.

Report accepted; said order passed.

7. Report on communication from the Mayor and order (referred today) recommending reconstruction of Columbus Avenue Bridge over tracks of Boston & Albany Railroad, and asking decision of Public Utilities Department as to its necessity—recommending passage of the order.

Report accepted; said order passed.



## FRANKLIN PARK IMPROVEMENTS.

Coun. GILBODY, for the Committee on Parkman Fund, submitted report on message of Mayor and order (referred March 14) recommending appropriation of \$15,000 from income of Parkman Fund to be expended on Franklin Park improvements—that same ought to pass.

Coun. McGRATH—Mr. President, I would like to ask the chairman of the committee, who introduces this report, whether there is any truth in what has been stated that, although this Council has to pass on each appropriation for the Parkman Fund, on this appropriation of \$15,000 the Park Department has gone ahead with the work without consulting the Council until now, and that about 50 per cent of that work has been done without any authorization of the Council; and whether, if a situation came about whereby the order was defeated, they would have indebted themselves for some \$6,000 or \$7,000 without any authority? I would like to know from the chairman if he knows how much truth there is in that report.

Coun. GILBODY—Mr. President, in compliance with the gentleman's request I will say that the order was dated the 14th day of March; that the Park Department did advertise for bids and that they were opened the 17th of March, and that the contract, with J. A. Singarella was awarded by his Honor the Mayor March 26. I had the same thought in mind that the councilor had, but if the money is not available from the Parkman Fund it can be taken from the ordinary revenue of the department, and the work will not be held up anyway. The money will be paid from the regular revenue of the department.

Coun. McGRATH—Mr. President, with all due respect to my colleague from Dorchester, for whom I have the highest regard, I think this is one of the worst precedents that we can be called upon to establish here. Here we have a man in the City of Boston who left a great deal of money to the city for specific purposes, and he left it in your charge and in my charge, left it in charge of the Mayor and the Council, and the way in which this money is expended will serve as an incentive to other men to leave their money in a similar way to the city or will prevent them from doing so. What will be thought by people related to Mr. White and to Mr. Parkman, when money is left in this way for a specific purpose, in the hands of his Honor the Mayor and the City Council, who are to sit as a board of trustees to pass on the proper expenditure of the money, when one man, his Honor the Mayor, goes ahead and contracts a bill to the extent of \$19,000 without any authority? It is an absolute insult to you, Mr. President, and to every other member of the Council. Here we are, trustees of the money left by Mr. Parkman, and we are supposed to vote on appropriations for the expenditure of this money in a proper manner. We are the guardians of the money while we sit here as elected officials of this city, and think of the boldness of the man who, as chief executive of this city, makes a contract of this kind for the expenditure of the money to the extent of \$19,000, which is proceeded with and half completed when he comes in and asks us to appropriate the money for the completion of the contract. I think that is the boldest move in the way of ignoring the Council that I have known in my time in this body. It may be true that they can take the money out of the Park Department funds. If they can, let them do so. Why should we, however, now vote to get them out of a situation that they brought about themselves, knowing what they were doing? If they have made such a contract, and now ask for the authorization of this body, who are trustees of this money, I think we ought to vote against the order and not allow them to usurp our powers and absolutely ignore us, Mr. President.

Coun. GUILD—Mr. President, I don't feel so grievously insulted as does the previous speaker in this situation, and perhaps the reason why I do not feel so grievously insulted is that I understand Coun. Gilbody's ex-

planation of the situation in an entirely different way. It seems to me there is a bare possibility, in view of the previous speaker's apparently preconceived notion that the work in question was almost completed as soon as the contract was made, that that is an indication of the inaccuracy with which he has judged the whole situation. I take it that the situation in question is this: that it was determined that the Park Department should do a certain amount of work of a certain character this year; that that determination was made by those in charge, the executive heads of the Park Department and of the city in general, who were the proper officers to make the determination. It is now only a question whether the work which they have determined should be done shall be paid for through one bookkeeping item or another bookkeeping item. The suggestion is put up to us that we charge this bookkeeping item, \$15,000 of it, at least, to the Parkman Fund, and it strikes me that it is far from usurping the powers of the City Council or insulting the City Council in any way; that it simply means a straightforward, manly proposition, out in the open, that we charge \$15,000 of this money for the work that the executives have determined should be performed to the Parkman Fund. I think the report ought to be accepted.

Coun. McGRATH—Mr. President, I don't know upon what the councilor who has just spoken bases his idea that all my statements are erroneous. I think I took the proper method, asking the chairman of the committee in charge of this report whether the work had been started. On the face of it, it looks like a brand new appropriation, to be charged up to the Parkman Fund. That is why I endeavored to get information from the proper source. The chairman says the work has begun, that this contract was awarded last March, and we have now gone through April. Of course, it is not completed, but I think it is fair to say that it is more than half done. I don't know whether it is a question of bookkeeping or not. But it does now seem that we are called upon to pass an appropriation, as trustees of the fund, for the doing of specific work which is now on its way to completion, the work having been contracted for and initiated without any authority from us. This is simply another illustration of the way the Mayor of Boston ignores the directors elected to sit with him on these matters, going ahead and doing the work as he sees fit, and, when he gets around to it, coming to us for approval of the matter as a new measure, when as a matter of fact he has already started it and has got half way through it.

Coun. GILBODY—Mr. President, I would like to say, as chairman of the committee, that perhaps I did not make myself clear. I think the order is dated the 14th day of March. Am I right, Mr. Clerk?

City Clerk DONOVAN—Yes, sir.

Coun. GILBODY—I understand from the *City Record* that bids were called for on the 17th day of March and that the contract was awarded the 26th day of March. But the committee, in its wise judgment, did not see fit to pass upon it until today.

Report accepted; order passed, yeas 16, nays 2.

Yeas—Coun. Arnold, Bush, Dowd, Dowling, Englert, Fitzgerald, Gilbody, Guild, Heffernan, Lynch, Mahoney, McMahon, Ruby, Ward, Wilson, Wragg—16.

Nays—Coun. McGrath, Parkman—2.

## CONFIRMATION OF CONSTABLES.

Coun. WILSON—Mr. President, I move that we take from the table and vote on the confirmation of the appointments as constables of John M. Brennan, Paul V. DiCicco, John D. Maguire, Aleck Berg, John J. Buckley, and Matthew W. Chait.

The names referred to were taken from the table and the question came on confirmation. Committee, Coun. Ward and Englert. Whole number of ballots 18, yeas 17, nays 1, and the appointments were confirmed.



## CONFIRMATION OF APPOINTMENTS.

President HEFFERNAN called up, under unfinished business, No. 3 on the calendar, viz.:

3. Action on appointments submitted by the Mayor May 2, 1927, of John F. Corrigan, Joseph L. Corrigan, James E. Sheridan, W. H. Hubbard, Joseph L. Sullivan, Edward J. Sullivan, Michael J. O'Hare, Emory W. Sweet, and S. J. Rubin, to be Weighers of Coal; Daniel J. MacKay, Edward Dodds, John H. Hagerly, and S. Dexter Hedge, to be Weighers of Goods; Walter Anderson to be a Weigher of Beef and a Weigher of Goods.

The question came on confirmation. Com-

mittee, Coun. Guild and Parkman. Whole number of ballots 14, yeas 13, nays 1, and the appointments were confirmed.

## GENERAL RECONSIDERATION.

On motion of Coun. WRAGG, the Council refused a general reconsideration of all action taken today.

Adjourned, at 3.57 p. m., on motion of Coun. WILSON, to meet on Monday, May 16, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, May 16, 1927.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President HIEFFERNAN in the chair, and all the members present.

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council the following appointments were received from the Mayor for the term ending April 30, 1928, viz.:

Weighers of Coal: Fred W. Thielscher, 36 Walter street, Roslindale; William F. Maguire, 385 Adams street, Dorchester; J. E. Lahey, 187 Bernard street, Dorchester.

Weighers of Goods: Alex F. Morgan, 403 Medford street, Somerville; Donald G. Morse, 66 Norfolk avenue, Roxbury.

Constables: John Arthur Nestor, 75 Decatur street, Charlestown; Thomas Joseph McLaney, Savin street, Ward 12; Frederick DeCicco, 220 Hanover street, Ward 3.

Severally laid over a week under the law.

## SHOWER BATHS AT AQUARIUM.

The following was received:

City of Boston,  
Office of the Mayor, May 11, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department in reply to your order of May 2, 1927, in relation to shower baths at the Aquarium, South Boston.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, May 10, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of May 4, with inclosure, order from the City Council relative to shower baths at the Aquarium, South Boston.

In reply I desire to say that these showers will be put in condition for use at once.

Very truly yours,  
WILLIAM P. LONG, Chairman.  
Placed on file.

## SALE OF REFRESHMENTS IN PARKS.

The following was received:

City of Boston,  
Office of the Mayor, May 11, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department in reply to your order of May 2, 1927, in relation to sale of refreshments in the parks.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, May 10, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of May 4, with inclosure, order from the City Council that the Park Department be requested, through his Honor the Mayor, to include in the requirements which must be observed by the successful bidders for refreshment and other concessions in the parks of the City of Boston, a stipulation that all articles shall be sold at the prevailing price charged throughout the city for similar merchandise.

In reply I desire to say that the Board will be

pleased to insert in the lease being advertised at the present time such stipulations as will control all commodities.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.  
Placed on file.

## AMBULANCE SERVICE.

The following was received:

City of Boston,  
Office of the Mayor, May 10, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communication from the Police Department in reply to your order of December 6, 1926, in relation to including in budget estimates for year 1927 a sum to provide for ambulance service in various sections of the city.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

May 9, 1927.

Mrs. Ida Hibbard, Mayor's office,  
Dear Madam,—In reply to your note together with order of the City Council that the Police Commissioner be requested to include in his budget estimates for the year 1927 a sum sufficient to provide for ambulance service at the various police stations, such as East Boston, Charlestown, South Boston and Roxbury, I wish to state that I provided such sum in my budget and the same has been cut out by the Budget Commissioner and the City Council.

Yours respectfully,  
HERBERT A. WILSON,  
Police Commissioner.

Placed on file.

## QUARTERS FOR THOMAS J. FITZGERALD POST.

The following was received:

City of Boston,  
Office of the Mayor, May 9, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communication from the Fire Department in reply to your order of May 2, 1927, in relation to provision of permanent quarters for Thomas J. Fitzgerald Post veterans.

Yours very truly,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Fire Department, May 6, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council on May 2, 1927:

"Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to provide permanent quarters for Thomas J. Fitzgerald Post, Veterans of Foreign Wars, in the building owned by the Fire Department at Dorchester and Fourth streets, South Boston, and now used as a place for storage."

In City Council May 2, 1927. Passed.  
Attest:

W. J. DOYLE,  
Assistant City Clerk."

I am inclosing herewith a copy of a report from the Superintendent of Maintenance in regard to this building, and I agree with the statements made in his report.

This department is pressed for storage space and we have no other building where this material can be stored. As the superintendent states in his report, if the department is obliged to give up this building it will be necessary to rent floor space somewhere else.

Yours very truly,  
E. C. HULTMAN,  
Fire Commissioner.

BOSTON, May 5, 1927.  
From The Maintenance Division,  
To The Fire Commissioner,  
Subject: Old Ladder No. 5 Building.  
The old building, formerly occupied by Ladder Company No. 5, located on West Fourth near Dorchester street, South Boston, is a two-story brick building.



At the present time we are using the first floor of this building for the storage of all spare ladders used in this department, several spare salt and hose pumps, spare heating equipment for emergency use in buildings, extra beds, steamfitting and plumbing supplies.

The second floor of this building contains a hall which is used as a meeting place for the Major O'Connor Camp of Spanish War Veterans and a G. A. R. Post.

The storage space on the first floor, which we are using for the purposes above named, is absolutely essential for the proper storage of necessary material for the operation of this department.

This department is handicapped in the matter of storage facilities and I do not deem it advisable to give up any of our present storage space. If, however, the use of the first floor of this building should be taken away it will mean that we shall have to hire or rent storage space in order that our material may be adequately stored.

Respectfully submitted,  
EDWARD E. WILLIAMSON,  
Superintendent of Maintenance.

Placed on file.

#### PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

##### Claims.

Jesse H. Brown, for compensation for damage to automobile caused by an alleged defect at 146 Cambridge street.

Hotel Canterbury, for refund on refuse tickets, Mildred R. Clark, for compensation for injuries caused by an alleged defect in Newman street, South Boston.

Flora Cowan, for compensation for injuries caused by an alleged defect in Tremont street.

J. E. Fletcher Company, for compensation for damage to property at 66-72 Faneuil Hall Market, caused by flooded basement.

Annie J. Foley, for compensation for injuries caused by an alleged defect at 10 Dalton street, Boston.

Morris Gelewitz Company, for refund on personal property tax.

William Hoare, for compensation for damage to property at 41 Pleasant street, Charlestown, caused by shutting off water.

Albert C. Huegel, for compensation for damage to property at 45 Perham street, West Roxbury, caused by ashmen.

J. E. Landry, for compensation for damage to automobile by city truck.

Morris Lewis, for compensation for injuries caused by an alleged defect at 148 Warren street, Roxbury.

Samuel Lishner, for compensation for taxes paid by mistake.

Mrs. Edward M. Lynch, for compensation for injuries caused by an alleged defect in Sudbury street.

Thomas F. McLaughlin, for compensation for damage to property at 51 Creighton street, Jamaica Plain, caused by defective surface drains.

Norah Mulligan, for compensation for injuries caused by an alleged defect at Uphams Corner, Dorchester.

Katherine Putnam, for compensation for injuries caused by an alleged defect at 436 East Sixth street, South Boston.

James S. Roberts, for compensation for damage to automobile by city team.

Samuel Slavin, for compensation for damage to property at 141 Homestead street, caused by city truck.

Minnie E. Sleeper, for compensation for injuries caused by an alleged defect at Washington and Winter streets.

Lillian C. Strong, for compensation for injuries caused by an alleged defect at 15 Congress street.

Amelia and Ralph H. Trow, for compensation for damage to property at 7 Wachusett street, Mattapan, caused by backing up of sewage.

Sarah Tutela, for compensation for injuries caused by an alleged defect at 254 Commercial street.

Edward R. Eastman, for compensation for damage to automobile and personal injuries, caused by an alleged defect in street at junction of Tremont and Northampton streets.

Mrs. Charles Latorella, for compensation for damage to truck caused by an alleged defect in Beacon street, between Dartmouth and Exeter streets.

##### Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Mrs. Katherine Danahy, Practical Arts High School, May 17.

Anthony Mieczewski, Symphony Hall, June 5.

Cecile A. Mara, Jordan Hall, May 26.

Mary West, Roxbury Ladies' Club, May 20.

Grace M. Marden, Howard Temple, June 2.

Ruth M. McShane, Municipal Building, South Boston, May 20.

Orin F. Gallagher, Mechanics Hall, May 25.

#### APPROVAL OF APPOINTMENT, STATISTICS DEPARTMENT.

Notice was received of approval of appointment of Edward G. Graves, 388 Meridian street, East Boston, as trustee, Statistics Department.

Placed on file.

#### PAY ROLL, REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds from May 1 to May 15, inclusive, amounting to \$3,-943.87, was received and approved.

#### STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings to be held on May 31 on petitions for storage and sale of gasoline, viz.:

John W. Biggs, 545 Freeport street, Ward 16, 25,000 gallons.

John W. Biggs, 108 March street, Ward 16, 4,500 gallons.

Boston Yacht Club, 1793-1805 Columbia road, Ward 7, 1,000 gallons.

Referred to the Executive Committee.

#### CONSTABLES' BONDS.

The bonds of the following named constables, having been duly approved by the City Treasurer, were received and approved by the City Council, viz.:

George W. Bloomberg, Thomas F. Brett, Warren A. Brown, Matthew W. Chait, James G. Curran, James B. Cushing, Albert A. Cosby, Augustus D'Arcy, William Davis, Paul V. Diecco, D. Samuel Goldsmith, Joseph Guttentag, Joseph Granara, John F. Halligan, Thomas E. Kittredge, Thomas H. King, William J. Lally, Martin J. Leggett, William J. MacDonald, Anthony D. McMan, John A. McMeniman, William P. Miles, Andrew W. Murphy, Daniel W. O'Brien, James A. Quinn, Davis Reinherz, Bartholomew F. Roach, Henry J. D. Small, George C. Souther, Arthur J. Sullivan, Jerome Suvalle, Benjamin J. Tackeff, Richard W. Whipple, Maurice Zeeman.

#### REIMBURSEMENT OF JAMES O. JORDAN.

Coun. RUBY offered the following:

Ordered, That chapter 79 of the Acts of 1927, entitled "An Act Authorizing the City of Boston to Reimburse James O. Jordan for Money paid by Him in Satisfaction of a Certain Execution" be and the same hereby is accepted.

Referred to the Executive Committee.

Coun. RUBY offered the following:

Ordered, That under the provisions of chapter 79 of the Acts of 1927 the sum of \$587.10 be allowed and paid to James O. Jordan, in reimbursement of expense incurred on account of an act done in the performance of his duties as an employee of the Health Department; said sum to be charged to the Reserve Fund.

Referred to the Executive Committee.

## REPORT OF COMMITTEE ON APPROPRIATIONS.

Coun. PARKMAN, for the Committee on Appropriations, submitted a report recommending the passage of appropriation orders for the year 1927, containing reductions in the original budget submitted by the Mayor April 18, as follows:

## PROPOSED COMMITTEE REDUCTIONS.

| DEPARTMENT.               |       | Item.                               | Amount.    | Total.     |
|---------------------------|-------|-------------------------------------|------------|------------|
| Assessing.....            | A-1.  | Permanent employees.....            | \$175 00   |            |
|                           | B-1.  | Printing and binding.....           | 100 00     |            |
|                           | B-4.  | Transportation of persons.....      | 300 00     |            |
|                           | B-28. | Expert.....                         | 1,500 00   |            |
|                           |       |                                     |            | \$2,075 00 |
| Budget.....               | D-1.  | Office.....                         |            | 25 00      |
| Board of Appeal.....      | A-1.  | Permanent employees.....            | \$500 00   |            |
|                           | D-1.  | Office.....                         | 50 00      |            |
|                           |       |                                     |            | 550 00     |
| City Council.....         | A-3.  | Unassigned.....                     | 875 00     |            |
|                           | B-3.  | Advertising and posting.....        | 100 00     |            |
|                           | B-5.  | Cartage and freight.....            | 50 00      |            |
|                           | B-13. | Communication.....                  | 50 00      |            |
|                           | B-37. | Photographic and blueprinting.....  | 150 00     |            |
|                           |       |                                     |            | 425 00     |
| Collecting.....           | A-1.  | Permanent employees.....            | \$3,087 31 |            |
|                           | B-4.  | Transportation of persons.....      | 300 00     |            |
|                           | B-14. | Motor vehicle repairs and care..... | 200 00     |            |
|                           | B-39. | General plant.....                  | 250 00     |            |
|                           | C-4.  | Motor vehicles.....                 | 2,400 00   |            |
|                           | D-11. | Motor vehicle.....                  | 200 00     |            |
|                           |       |                                     |            | 6,437 31   |
| Fire.....                 | A-1.  | Permanent employees.....            | \$1,917 80 |            |
|                           | C-7.  | Furniture and fittings.....         | 1,000 00   |            |
|                           | C-16. | Wearing apparel.....                | 6,000 00   |            |
|                           | D-3.  | Fuel.....                           | 3,000 00   |            |
|                           | F-7.  | Pensions and annuities.....         | 5,000 00   |            |
|                           |       |                                     |            | 16,917 80  |
| Wire Division.....        | D-1.  | Office.....                         |            | 100 00     |
| Health.....               | B-17. | Care of persons.....                | \$5,000 00 |            |
|                           | B-35. | Fees, service of venires.....       | 28 00      |            |
|                           | C-4.  | Motor vehicles.....                 | 400 00     |            |
|                           | C-10. | Library.....                        | 50 00      |            |
|                           | D-11. | Motor vehicle.....                  | 300 00     |            |
|                           |       |                                     |            | 5,778 00   |
| Hospital.....             | A-1.  | Permanent employees.....            | \$3,770 77 |            |
|                           | B-28. | Expert.....                         | 1,500 00   |            |
|                           | E-1.  | Building.....                       | 1,000 00   |            |
|                           | G-2.  | Special investigations.....         | 500 00     |            |
|                           |       |                                     |            | 6,770 77   |
| Institutions:             |       |                                     |            |            |
| Central Office.....       | B-4.  | Transportation of persons.....      | \$100 00   |            |
|                           | B-13. | Communication.....                  | 75 00      |            |
|                           | B-14. | Motor vehicle repairs and care..... | 200 00     |            |
|                           | B-22. | Medical.....                        | 400 00     |            |
|                           | D-1.  | Office.....                         | 100 00     |            |
|                           |       |                                     |            | 875 00     |
| Long Island Hospital..... | B-18. | Cleaning.....                       | \$280 00   |            |
|                           | C-4.  | Motor vehicles.....                 | 100 00     |            |
|                           | E-13. | General plant.....                  | 1,000 00   |            |
|                           |       |                                     |            | 1,380 00   |
| Law.....                  | B-13. | Communication.....                  | \$100 00   |            |
|                           | B-28. | Expert.....                         | 900 00     |            |
|                           |       |                                     |            | 1,000 00   |
| Park.....                 | A-1.  | Permanent employees.....            | \$245 00   |            |
|                           | A-3.  | Unassigned.....                     | 1,000 00   |            |
|                           | B-21. | Removal of snow.....                | 2,500 00   |            |
|                           | B-28. | Expert.....                         | 1,000 00   |            |
|                           | B-39. | General plant.....                  | 10,000 00  |            |
|                           | B-12. | Music, concerts, etc.....           | 2,000 00   |            |
|                           | C-4.  | Motor vehicles.....                 | 500 00     |            |
|                           | C-7.  | Furniture and fittings.....         | 2,500 00   |            |
|                           | E-12. | Parks and recreational.....         | 2,000 00   |            |
|                           |       |                                     |            | 21,745 00  |
| Cemetery Division.....    | A-3.  | Unassigned.....                     | \$400 00   |            |
|                           | B-39. | General plant.....                  | 5,000 00   |            |
|                           |       |                                     |            | 5,400 00   |
| Police Department.....    | B-8.  | Light, heat and power.....          | \$1,000 00 |            |
|                           | B-22. | Medical.....                        | 500 00     |            |
|                           | D-3.  | Fuel.....                           | 1,000 00   |            |
|                           | D-11. | Motor vehicle.....                  | 400 00     |            |
|                           | D-16. | General plant.....                  | 200 00     |            |
|                           | F-14. | Listing.....                        | 2,000 00   |            |
|                           |       |                                     |            | 5,100 00   |

| DEPARTMENT.               | Item.                                          | Amount.    | Total.              |
|---------------------------|------------------------------------------------|------------|---------------------|
| Public Buildings.....     | A-1. Permanent employees.....                  | \$1,868 92 |                     |
|                           | C-7. Furniture and fittings.....               | 3,000 00   |                     |
|                           |                                                |            | \$4,868 92          |
| Public Welfare:           |                                                |            |                     |
| Central Office.....       | B-18. Cleaning.....                            |            | 150 00              |
| Temporary Home.....       | C-7. Furniture and fittings.....               |            | 50 00               |
| Public Works:             |                                                |            |                     |
| Central Office.....       | B-14. Motor vehicle repairs and care.....      |            | 100 00              |
| Bridge Service.....       | A-1. Permanent employees.....                  |            | 1,888 06            |
| Paving Service.....       | B-14. Motor vehicle repairs and care.....      | \$1,000 00 |                     |
|                           | B-21. Removal of snow.....                     | 10,000 00  |                     |
|                           | B-12. Repair of streets.....                   | 2,000 00   |                     |
|                           | C-13. Tools and instruments.....               | 2,000 00   |                     |
|                           | D-4. Forage and animal.....                    | 1,000 00   |                     |
|                           | D-11. Motor vehicle.....                       | 1,000 00   |                     |
|                           | F-7. Pensions and annuities.....               | 1,000 00   |                     |
|                           |                                                |            | 18,000 00           |
|                           | Street signs.....                              |            | 25,000 00           |
| Sanitary Service.....     | A-1. Permanent employees.....                  | \$2,400 00 |                     |
|                           | A-3. Unassigned.....                           | 3,000 00   |                     |
|                           | B-6. Hire of teams and auto trucks.....        | 63,000 00  |                     |
|                           | B-15. Motorless vehicle repairs.....           | 2,000 00   |                     |
|                           | B-16. Care of animals.....                     | 500 00     |                     |
|                           | B-20. Disposal of ashes, dirt and garbage..... | 3,000 00   |                     |
|                           | C-4. Motor vehicles.....                       | 1,000 00   |                     |
|                           | C-5. Motorless vehicles.....                   | 3,000 00   |                     |
|                           | C-6. Stable.....                               | 300 00     |                     |
|                           | D-3. Fuel.....                                 | 2,000 00   |                     |
|                           | D-4. Forage and animal.....                    | 4,000 00   |                     |
|                           | E-2. Highways.....                             | 1,000 00   |                     |
|                           | E-13. General plant.....                       | 2,000 00   |                     |
|                           |                                                |            | \$7,200 00          |
| Sewer Service.....        | A-1. Permanent employees.....                  |            | 4,000 00            |
| Soldiers' Relief.....     | B-4. Transportation of persons.....            | \$100 00   |                     |
|                           | F-8. State and military aid.....               | 5,000 00   |                     |
|                           |                                                |            | 5,100 00            |
| Street Laying:Out.....    | B-14. Motor vehicle repairs and care.....      | \$50 00    |                     |
|                           | C-4. Motor vehicle.....                        | 25 00      |                     |
|                           | C-10. Library.....                             | 50 00      |                     |
|                           | D-1. Office.....                               | 100 00     |                     |
|                           |                                                |            | 225 00              |
| Supply.....               | B-3. Advertising and posting.....              | \$75 00    |                     |
|                           | D-1. Office.....                               | 300 00     |                     |
|                           | D-11. Motor vehicle.....                       | 150 00     |                     |
|                           |                                                |            | 525 00              |
| Treasury.....             | B-4. Transportation of persons.....            |            | 500 00              |
| Weights and Measures..... | B-14. Motor vehicle repairs and care.....      | \$100 00   |                     |
|                           | C-4. Motor vehicle.....                        | 200 00     |                     |
|                           | D-11. Motor vehicle.....                       | 300 00     |                     |
|                           |                                                |            | 600 00              |
| Water Division.....       | A-1. Permanent employees.....                  |            | 10,210 05           |
|                           |                                                |            | <u>\$232,995 91</u> |

The report of the committee was accepted, and the question came on the passage of the orders as submitted by the committee.

COUN. PARKMAN—Mr. President, the Appropriation Bill for the year 1927 was submitted to the Council by his Honor the Mayor on April 18, 1927. This date was the latest on which the bill was ever submitted to the City Council since the adoption of the city charter—due to the long delay in the fixing of the tax limit for the year by the Legislature. As a result of this delay many departments had already expended close to the amount which they were authorized to spend prior to the passage of the budget. The necessity for prompt consideration was never more urgent in order to avoid a suspension of the pay rolls and a cessation of the city's services, and accordingly the committee at once began its hearings which have proceeded continuously with daily sessions and for one week evening sessions, the last hearing having been held on Friday afternoon last. In spite of this fact, the long delay of the Legislature in fixing the tax limit has resulted in the pay of six departments being held up, and the rest have now reached the danger line. I believe, however, that the work of the committee has been accomplished in the shortest possible time consistent

with the thoroughness that a review of the budget requires. Full and fair public hearings have been given to every department head of the city, at most of which representatives of the Finance Commission have attended, and at some of which civic and business organizations have also been represented. The bill as submitted by his Honor the Mayor called for a total of \$30,523,463.98 to be raised by taxes, outside of the city debt requirements. This amount represented a figure \$2,783,615.37 less than the departmental estimates, and included a second reduction made by the Mayor of \$780,529.78, necessitated by the action of the Legislature in cutting by 50 cents the Mayor's tax limit request of \$13.50. This last reduction was made almost entirely in the special appropriations and not in the budget proper. The bill as reported by the committee represents a further reduction of \$222,785.86, all but \$25,000 of which has been effected in the body of the budget, and an additional \$10,210.05 in the Water Service, an income producing branch of the Public Works Department. The committee's bill, unanimous except for one item on which a very substantial majority was recorded, calls for a total of \$30,300,678.12 available for appropriation inside the tax limit, and represents an ultimate reduction of a little over 12 cents



in the tax rate. The reduction of about \$28,000 in the budget for the County of Suffolk, usually included in the Appropriation Bill, but this year submitted and passed separately, increases the measure of saving effected by this year's Committee on Appropriations to a total of about \$261,000. The reductions recommended by the committee do not affect by one penny the salary of a single city employee, nor curtail in the slightest degree a single one of the city's services. The reported charge made by his Honor the Mayor that the committee's action involved a lack of regard "for faithful service rendered by city employees and for the prosperity, health, comfort and convenience" of the citizens can be explained only as a deliberate attempt to mislead in the hopes of changing votes in this body, or on the assumption of a complete lack of knowledge on his part of the committee's work. The cuts recommended in Schedule A, the Personal Service Schedule, represent solely the taking out of the appropriation the excess over the amount required to pay a full force in each department for the full year; not a single salary increase of the more than 3,100 allowed is refused; not a single position is abolished, every new position is allowed, and all vacancies which have been filled remain filled, or if still to be filled the money is provided. The amounts which the committee recommends taking out of Schedule A, if allowed to remain in the budget, would simply lie dead in the appropriation until the end of the year, adding a needless burden to the taxpayer of money appropriated which could not be spent. In this state of the case, I reject on behalf of the committee with all the power at my command the imputation which has been made, and resent the attempt to make it, whether it was deliberate or in careless ignorance of the facts. Schedule A-1 this year shows an increase of about \$700,000 over last year. Of this amount \$150,000 represents salary increases for clerks, inspectors, foremen, mechanics, institution employees, nurses and professional men, \$45,000 represents new positions, \$462,000 represents salary overlay from 1926, and \$50,000 is for increases in the Fire and Police Departments. The salary increases are partly in accordance with the report of the Classification Committee and on the scale recommended by them, partly step-rate increases, and partly on the individual recommendations of department heads. With the theory of standardization of salaries, of increase in salaries up to the maximum for the group and grade in return for merit and faithful service, and of a fair and adequate remuneration for city employees as compared with private employ, the committee is in entire accord. The addition of new positions represents to my mind the absolute minimum necessary to keep up with the needs of a growing city, and more than half the amount required is for institutional help. The wholesale and sweeping recommendations of the Finance Commission that no salary increases be allowed, and that no new positions be created are in my opinion not worthy of one moment's serious consideration. Such policies could result only in discontent and stagnation. The committee has made many recommendations for reductions in other schedules. Some reductions are based on a change in price since the estimates and original allowances were made. Others are based on a falling off in the need for certain services since the beginning of the year. All of them have been carefully weighed from all points of view in consultation with department heads, resulting in almost every case in the assent of the department head involved to the reduction either at the hearing or afterwards. All of them have been carefully figured, checked and rechecked in every way, having always in mind the impossibility of absolute accuracy in estimating in advance the cost of any item, and always with a view to leaving a fair margin of safety. In no case has any appropriation been pared to the bone; in no case has the committee's knife been sharpened so that it cuts too fine. There is not a single instance where any service will be hampered or curtailed, and any suggestion that the cuts will result in a reduction of service must be made either for its political effect or from ignorance. Such a suggestion has absolutely no foundation in fact. The committee is well aware of the fact that operation under the budget system is a continuous process, necessitating constant revision throughout the year, and realizes that before this budget was submitted it had already received a second revision which resulted in the increase of some items

and the reduction of others. The Council has no power under the charter to increase, but only the power to reduce or reject. The committee urges that this power be exercised, with the full and complete assurance that it will not result in the slightest reduction of service. In so urging the committee is unanimous with the single exception of Item B-6 in the Sanitary Service of the Public Works Department. One of the recommendations of the committee is a reduction of \$5,000 from \$115,000 to \$110,000 in Item B-17, Care of Persons in the Health Department. This item covers payment by the city for the care of sick persons who are legal residents of the city, and is mostly for tuberculosis cases cared for in State Sanatoria. Last year's expenditure was \$110,000; the Health Commissioner stated in answer to questioning that this year was comparable with last; and the figures for the first quarter showed that the expenditure is running at the rate of \$4,000 per annum less than last year. Furthermore, last year's experience showed that the first quarter, the winter months, was the largest. The committee recommends the same allowance as last year, leaving an adequate margin of safety. As for snow removal the impression appears to have been circulated and to have gained some ground that the committee advocates removing all protection and provision for the contingency of a December snowstorm. Of course, this is not true, Mr. President. No member of the committee, nor any member of this body having the interest of the city at heart, would think of even suggesting such a thing. Here, again, the effort to create such an impression which has no basis in fact whatever can only be regarded as a smoke screen, calculated perhaps to detract from the work of the committee. In the first place, the committee has not touched one dollar of the amount remaining available in the Public Works Department, and still unspent, namely, \$25,000 for the hire of temporary employees and for overtime work by city employees in snow removal. In addition, the committee has left \$1,500 in the Park Department for the same purpose. The contingency of such a severe December snowfall as to call for the hire of outside teams and contractors may be and was regarded by the committee as essentially an emergency for which resort should properly be had to the Reserve Fund which is set up for just such purposes. One thousand dollars has been left in the item for the hire of teams, and \$10,000 is recommended as a reduction. In the Park Department the same procedure is recommended, \$1,000 is left for the hire of teams and a reduction of \$2,500 is recommended. This item is particularly unassailable as the total expenditure for three months this winter was only \$1,072.50 and approximately that amount is left. Not an instant's delay need be anticipated in case the emergency should arise and a transfer be required. The charter specifically provides that the City Auditor "may also, with the approval of the Mayor, at any time between November 15 and January 1 make transfers from any appropriation to any other appropriation." After November 15 the City Council need not be consulted for a transfer. If the emergency arises all that is required to put outside teams to work is a telephone call from the Mayor to the Public Works Commissioner. I urge you not to be misled by any such attempt as has been made to confuse the issue. The Reserve Fund is also the place to find the money for any extraordinary repairs that may be required in Item B-39. The committee's report has simply removed the padding of \$10,000 out of a request for \$110,000 in the Park Department. The committee believes that the Council should not appropriate large sums of money blindly, but has a right to be consulted before an expenditure is made. (It is furthermore to be remembered that the Parkman Fund provides an income of \$250,000 a year for which no budget has as yet been submitted and which may be spent on the parks existing in 1887.) Here, again, if an unforeseen expenditure arises requiring the expenditure of additional money in the Park system a transfer may be requested and obtained from the Council. But I see no reason for giving any department head \$10,000 over which the Council retains no control whatever. That is not the purpose of the city charter nor of the budget principle. In regard to street signs it was the original intention of the administration to provide and spend \$25,000 per year for four years in remedying the condition which has for long

been a disgrace to the city. For that purpose \$25,000 was appropriated and provided last year, but not spent. The Public Works Department spent the entire year in experimenting, drawing specifications, etc., only to result in a throwing out of bids received from a contract advertised in December. The committee is in entire accord with the policy of remedying the situation; on the other hand it has the interests of the taxpayers in mind. It does not intend to recommend unnecessarily the appropriation of money that will not be spent. The auditor has carried over the sum of \$25,000 from last year which remains unspent. The committee was assured in public hearing by the Commissioner of Public Works that it would be a physical impossibility to spend \$50,000 in the seven months remaining; that he did not have an adequate force to do it. Under those circumstances, what other alternative was open to the committee? The fault, if any there is, for a delay in the program in putting up the street signs does not lie with the committee, and will not rest with the Council. It rests squarely with the administration. The only item of these reductions which did not receive the unanimous support of the committee (and there was only one dissenting vote) is Item B-6 in the Sanitary Service of the Public Works Department. That item has two branches, one for the hire of eleven teams from a contractor for the removal of ashes and garbage in the North and West Ends, for which \$22,000 was allowed, and the other for the hire of six truck flushers from the same contractor to be used in flushing the streets of the whole city. In regard to the hire of teams the position of the committee is that the purchase of the sixty additional large trucks, of which forty-five are assigned to the Sanitary Service, should release sufficient single teams of the city to do the work necessary in the narrow streets and alleys of these congested districts. On the admission of the head of the division each truck will haul five times as much as any single team, and make at least three trips a day, the equivalent of fifteen single team hauls as against seven now made. These figures show that the use of forty-five trucks should release at least ninety single teams and these ninety can be so redistributed as to do the work required. The only argument to the contrary was advanced by the foreman of the yard in the form of an admission that city labor was not so reliable as contract labor and that it was reassuring to be able to rely on contract teams! Such an admission places the burden on the department head to secure the necessary discipline and is no valid argument for the expenditure of \$22,000 of the city's money in the hire of outside teams. The committee left the sum of \$12,000 in this item, sufficient to pay for the teams furnished up to date and to carry the department for a time long enough to effect the necessary redistribution. It recommends a reduction of \$10,000 in the item. As to the truck flushers, for which the sum of \$68,000 was allowed in the budget as against an expenditure of less than \$61,000 in 1926, it appears there is a contract to supply these to the city, six of them in all, at a rental of \$34 a day, or \$68 for a day of two shifts. The rate is high; so high as to seem exorbitant when the chief of the division states that the city could buy the same equipment, for \$6,500 per unit, and the Commissioner of Public Works admits that \$10,000 would be the outside price. Under no conceivable circumstances could the overhead charges on this equipment, including interest, charges, depreciation and the necessary hire of labor to operate them, approach such a sum. It was the sense of the committee that the economical method to pursue was for the city to buy the equipment and operate it with its own labor forces, and this seemed to be the opinion of the Public Works Commissioner also. The committee's decision was strengthened when on a further hearing of the department upon this item it was found that there are in storage six municipally-owned units bought a few years ago and since dismantled and put out of commission. Under the present administration the pumps were removed and leased to the contractor now doing the work at a nominal rental. The committee leaves in the item the sum of \$15,000 which the department stated would be sufficient to carry it under the present contract until the first of July. It recommends the reduction of \$53,000 on this branch of the item or a total of \$63,000 in all. In addition to the foregoing reductions the committee has

found numerous instances where a reduction could be made without affecting the services of the city in the slightest degree. Such other reductions total more than \$100,000 in all schedules. In the items for the purchase of gasoline and fuel, for example, changed conditions have enabled the committee to make reductions. So, too, with lower prices for building and other materials. Certain allowances for the hire of experts were found to be unnecessary. Reductions in the pension rolls have helped to swell the total, as has also a reduction in the amount of Soldiers' Relief. The reductions recommended total \$222,785.86 plus \$10,210.05 in the Water Service. This, it is true, represents only a portion of the cut recommended by the Finance Commission, in its voluminous report to the City Council. The Finance Commission was represented at almost every hearing and was given every opportunity to substantiate its recommendations. This, in the opinion of the committee, it has utterly failed to do. Its recommendations in regard to Schedule A were either absolutely impossible of accomplishment, or would result in a crippling of essential governmental service. To take only some examples. It recommended the abolition of the Dairy Inspection Service of the Health Department. Not only is this required by statute, but we cannot conceive of a service more necessary to the protection of the public than the safeguarding of a pure and clean supply of milk. It recommended a crippling of the City Planning Board which has its duties prescribed by statute. It recommended leaving to the Public Service Corporation the inspection of poles and wires. This service must under statute and should from every consideration of fire protection be performed by the Fire Department. It recommended the substitution of student nurses at the Sanatorium which is in fact impossible as the nurses will not go to a specialized hospital for study; the abolition of outside registrars in the Election Department which are required by statute—and so on down the list. In many cases its showing was so vague and based on such a general argument that no weight could possibly be given to its recommendations, such as in the case of the Sanitary Service of the Public Works Department. The committee feels that the Finance Commission's activities along these lines are wasted effort, and actually harmful to the morale of the personnel. Its showing on the other schedules was no better. Their report was full of inaccuracies, and seemed to be based largely on the assumption that the city was at a standstill and that its needs would never increase. Among some of its recommendations which helped to swell its total and make an apparent showing were an elimination of all items for automobiles in almost all departments on the assumption that a taxicab service was to be adopted, but with no offsetting allowance made for taxicab hire. This apparent reduction, which was no reduction at all, amounted to about \$110,000. It failed to consider bills carried over to the amount of \$40,000; general repairs admittedly necessary to the extent of \$158,000; recommended an impossible reduction in care of dependents and children and soldiers' relief totalling \$190,000, and a reduction in food at the hospital and Long Island of \$35,000. Even in the departments in which it purported to have made its most thorough study through the use of outside experts, it failed lamentably to support its contentions. In the Public Buildings Department, for example, the expert of the real estate firm employed to make the survey was wholly unable to back up his figures on the consumption of fuel upon being examined. The report on the personnel failed to consider the state law requiring the eight-hour day and forty-eight-hour week for municipal employees and the fact that City Hall Annex is run on a twenty-four hour basis. It also assumed that the City of Boston was in a position to go out in the labor market and bid for labor on terms which would not provide a living wage. In very few instances had the Finance Commission consulted with department heads, and no effort was apparently made by conference to remedy conditions which it imagined existed. Such information as was obtained must have been obtained from subordinates. Such methods the committee believes subversive to discipline and can serve no good purpose. This report would not be complete without an attempt to acknowledge properly the aid and assistance rendered to the committee by the Budget Commissioner. He sat



at our right hand throughout the hearings with figures and information in regard to the various departments at his tongue's end. It was the third time that he had been over this budget. The record bears witness to the painstaking thoroughness of his second revision in the number of instances where the closeness of the figurings was at once apparent and put an end to further inquiry. The budget is a tribute to his accuracy and good judgment. I want also to thank the members of the committee and other members of the Council who by their attendance at the hearings and aid and assistance in the examination have all contributed to the committee's report. The reductions which the committee herewith recommends have, I repeat, been considered with care. They do not affect the salary of a single employee, nor reduce the service to be rendered by the city to the citizens in any particular. I accordingly press upon you the passage of the orders as reported by the committee.

Coun. WARD—Mr. President, I feel that the chairman of the Committee on Appropriations has acted sincerely and has placed before this body the situation as he views it, in the report, but difference of opinion makes horse races, and I cannot agree with the committee, inasmuch as my views are at variance with those that they hold in regard to certain items. Perhaps this has been due to misunderstanding or a lack of information, or other facts the committee was possibly unaware of. In the Park Department, for instance, I was surprised in going over the list of items to find certain cuts made by the committee and I am going to explain each item that I believe should not be decreased. Item A-3, Overtime services for employees of the Park Department. I have never yet voted against money necessary to be expended for just compensation to employees and on this matter I cannot agree with the committee and I believe the full amount asked for by the Park Department should be allowed. Item B-39, General Plant Repairs. The Committee on Appropriations have decreased this item by \$10,000. This simply means that some of our beautiful parks and playgrounds will have to go without repairs for the coming year and I know that there are many playgrounds and two in my own district that I feel may deteriorate by reason of lack of repairs and with this thought in mind I am much opposed to the decrease under this item. Item B-42, Band Concerts. The only pleasure that some of our citizens get on warm summer nights is to listen to a band concert. Those financially unable to go to beach resorts and summer homes find great pleasure in sitting out on warm nights listening to the strains of Chopin or Wagner and to deprive these people of this little pleasure in my opinion is not right and I cannot agree in cutting down this item for this reason. Item C-7, Furniture and Fittings. This item is probably nearer to my skin than any other. It is for towels in the Park Department. I have seen times at Cabot Street, Dover Street, Brookline Street and L Street, and various other bath houses throughout the city when the towel supply had been exhausted. It is not for us to determine now whether we are going to have a cool or warm summer, but it remains for us to be prepared and to that end in our public bath houses there should always be enough towels so that no one may be deprived of this necessity. Item B-28, Expert. During the study of Copley square and Governor square and the study of the Fens as works of art, no member of the Council or any city official regardless of how able he may be is able to determine as to the needs respecting them, but it is the work of an expert and since our Fens and our parks are probably the most beautiful in the world it is not for us to deprive the Park Department of this \$10,000 to maintain them as the most beautiful and picturesque in the world. Another item and one that affects the children. If the Board of Park Commissioner see fit to spend a certain amount of money for recreational material for the pleasure and enjoyment of children, I do not feel that I can consistently vote to chop this item even one dollar. Therefore, I am strenuously opposed to the cut in this item for recreational material in the Park Department. In the Hospital Department there has been some decreases made by the committee in the personal service. I believe today that our hospitals are undermanned and I do not see why we should make any decrease in the Hospital Department to encourage the officials of that institution to lay off any more employees or reduce the present number of com-

petent and capable employees. There is one item in the budget that possibly the Committee on Appropriations have overlooked. I would like to see \$3,000 taken from Item C-16, Wearing Apparel, in the Health Department, which in my mind is a useless expenditure of the city's money. The city nurses have gone to their business and work and their work and the work of the department has been no less satisfactory while these same nurses were dressed as ordinary nurses, than it would be if they were dressed in uniforms. I do not feel that the whim of any individual in dressing nurses up in uniforms to meet the fancy of the moment should be encouraged. I, therefore, respectfully request that Item C-16 be cut from \$3,100 to \$100 in the Health Department. This is just a presentation of one department in the city service. I could take every department in this budget, the Public Works Department or the Hospital Department and find unjust cause for decreasing these items. With this thought in mind, I cannot be a party to any attempt to economize, within our city department, since the only thing we can accomplish is to permit our city to deteriorate in progress and beauty. With this idea in mind, I am opposed to the budget as presented by the Committee on Appropriations, and feel that the budget as presented by the Mayor should be substituted.

Coun. WILSON—Mr. President, I have read with interest the flattering newspaper articles with reference to Coun. Parkman's intensive work on the 1927 city budget. I have attended various meetings of the Committee on Appropriations and observed department heads of our city government struggling under the searching cross examination of the able and persistent attorney for the prosecution. I have listened today with interest to the chairman's exhaustive report of his financial "Pilgrims Progress." First of all, without the least attempt at levity, I want to go on record as frankly admitting that I realize full well that the councilor from Ward 5 has performed a painstaking, conscientious task. His work has been a record of courteous but efficient labor well done, as he sees the right. The time he has unselfishly spent, and the pains he has taken, both reflect credit on his ability, his personality and his industry. And therefore there is nothing personal in anything I may have to say this afternoon. He is big enough to realize that. On the other hand, I feel, that quite appropriately reflecting the mental attitude of his own Back Bay district, with its beautiful Charles River Esplanade, its many completed improvements, its Public Garden, its broad, smooth and well-lighted boulevards with an obliging traffic officer at every point of danger or congestion, the councilor from Ward 5 has microscopically scrutinized each department estimate of proposed progress for the current year, primarily, if not solely, with the idea of cutting current expenditures to the bone and reducing the tax rate on Back Bay apartment houses and palatial Commonwealth avenue homes a further twelve or thirteen cents at any cost. I was elected from Ward 17, Dorchester, a growing residential district, urgently requiring more parks and more street lights, improved police protection, more sidewalks and more street repairs; I come from a district less well lighted than the little town of Norwood, and a district that for its dusty uneven streets requires oil and sprinkling in the summer and every assurance of prompt snow removal in the winter. These things cost money, and while I, too, am opposed to any raid on the city treasury, or any reckless squandering of the people's money, there is a vast distinction between this Council acting as the Board of Directors of a Penny Arcade, and this city government functioning in a manner becoming the capital city of New England. Dorchester, in common with other outlying wards in this city, urgently requires many pressing city improvements, and many absolutely necessary conveniences. I know that the house owners in my district must bear their share of the burden of taxation,—and it is not a small share,—and I know only too well that Coun. Parkman has taken the side of this issue that first his popular fancy, particularly in a Back Bay ward which requires few, if any, further improvements, and therefore is quite ready to call a halt on any and all expenditures over and above present absolute necessities. But when all is said and done, ask the average house owner in Hyde Park or West Roxbury of Dorchester if he wants his street accepted or a grano-



lithic sidewalk laid,—even if it means a direct additional assessment on his property, and what is his answer? The average man may groan at each dollar in taxes, but he wants police protection and a well-kept decent neighborhood to live in. And so I say there is a happy medium. To be sure, a number of suggestions by the councilor from Ward 5, six months after the making of city department advance estimates for the full year 1927, are doubtless well made. Hindsight is obviously better and more accurate than foresight. With the year almost half over, we naturally now have a better perspective than had the Mayor last January or February, and certain original estimates may now be pared down to a certain extent. Coun. Keene, as I understand, considered some such items and I understand the administration is ready to act in accord with such estimates as may now be properly revised by what time may have corrected. But again I say there is a happy medium. There is a point beyond which we cannot safely go if we place any substantial reliance at all in the Chief Executive of this city, the Budget Commissioner, the heads of our city departments, and last but not least, in the future growth and healthy normal expansion of the City of Boston. When the 1926 budget came to us on March 15, 1926, city department heads had requested \$32,400,000 and the Mayor had reduced that amount one and one half millions to \$30,800,000. The 1927 budget came to us this year as late as April 18, largely due to the not infrequent desire of the state authorities to run our business for us as well as their own. Department heads, after making a study of their requirements, had requested \$33,300,000. His Honor, the Mayor, in conjunction with the Budget Commissioner, after a fair comparison with other recent years, and yet having some vision for the reasonable requirements of the present and the future, cut these estimates not one and one half millions, as in 1926, but two millions of dollars to \$31,300,000. To be sure, this figure exceeded 1926 reduced estimates, in some degree due to the full \$300,000 now required for three hundred additional patrolmen and \$175,000 additional to cover 1926 increases to over 2,000 city employees. In addition to this two million cut from department estimates, the Legislature in its wisdom in effect knocked off an additional \$680,000. And so the somewhat enaciated budget was carried into this Council Chamber by loving hands on April 18 for any further operations and X-ray treatment. Dean Carr of the Finance Commission Medical College promptly advised the further amputation of another one and one half million dollars; and now the chairman of the Committee on Appropriations, while not specifically recommending a further major operation, advises the general chipping of an ear here and an eye there, totaling over a quarter of a million additional. And so today we are to have a final clinic over what remains. I personally feel that there is honest room for some difference of opinion, and I know that of course the chairman of the committee has every regard for the independent judgment of each member of this body. I know full well that he neither asks nor expects the other twenty-one members of this Council to stand as one and chant unanimously as the parade goes by "There's our boy Henry, he's the only one in step!" Every man is entitled to exercise his own independent thought and judgment. We even find the chairman failing to agree with the experts of the Finance Commission who appealed for another one and one half million cut. But on the other hand, to my surprise, I find his committee disclosing, under its microscope, financial cancers that got by even the eminent experts themselves. When Doctor Carr and his associate surgeons finally completed their amputations and operations and blood-letting, and turned off the gas, and laid aside their gory, dripping pruning knives, most of us believed there was very little left of the moaning patient but memories; most of us, I think, pictured the body as nearer ready for the undertaker than a convalescent home. But to our surprise the chiropractic councilor from the medical center of Ward 5 promptly finds a Park Department appendix that even Doctor Carr in his wisdom missed, and picks up a Health Department fallen arch or two that the Finance Commission operating table failed to touch. Apparently the Finance Commission Board of Censorship suppressed "Elmer Gantry," but according to our chairman they

left one William Shakespeare's "Venus and Adonis," and "The Rape of Lucrece" still staring boldly at us from the library shelf. And so it is that under Health Department C-10 the library appropriation is to be cut down and our medical staff is to read fewer medical current magazines and fewer unexpurgated medical books. The appropriation for the new Chardon Street Home for Women and Children, under C-7 in Public Welfare Department, is to be cut \$50, which will eliminate the purchase of one of these modern new-fangled ideas called the vacuum cleaner. After all, what do new floors and new rugs, if any, need of a broom or a vacuum cleaner; the time to dress up a rug, it would seem, is just prior to a favorable dicker with the ragman for its final disposal. Law Department Item B-13 for telephones we learn is to be cut \$100 to a figure less than even last year's expense. Of course this step will to that extent at least minimize the possibilities of any "listening-in" by the Telephone Company so far as our own law office is concerned. The furniture item under Public Buildings C-7 is to be cut \$3,000. Elimination of modern filing cabinets, plan cases and desks obviously will leave our city records and documents always ready to the hand of the eager city department clerk, provided the windows are kept closed on windy days. Not only that, but discouraging the purchase of additional chairs by the various heads of our departments will keep the boys always on their toes instead of the seats of their trousers; and incidentally fewer members of the City Council will cool their heels in the outer offices of certain departments when the present wooden benches have at last worn out. This year, as his Honor the Mayor has already suggested, our committee—through unusual co-operation with the Weather Man, who up to this time like Caser's wife has ever been above suspicion—has assured us of no snowfall until 1928. To the bitter disappointment of the many children who always long for a white Christmas Day, arrangements have been made for a suspension of all further snow precipitation until after December 31, 1927. Accordingly we are able to cut \$10,000 from Park Department Items A-3 and B-21, incidentally eliminating \$4,000 for possible December employment of extra men for emergency snow shoveling. Those who would criticize the Mayor for recently starting a Franklin Park sidewalk first, and daring to come to the City Council to ratify the expenditure afterward, of course will consistently oppose any unscheduled snowstorm with consequent emergency snow removal work to be paid for after the work is done. Logically I submit the budget estimates should reasonably take care of the 1927 requirements in advance. So let our boys and girls hang up their skates and put away their sleds until New Year's Day and make the best of it. As a still further evidence of the unselfish interest of the Weather Man in our local financial structure, it would also appear that the summer precipitation has likewise been taken care of. Fortunate are those who have been able to take a winter vacation at Palm Beach, because continual rain and showers to lay the dust during the next few months will allow us ample time to renovate or replace our obsolete and discarded city-owned street sprinklers with a saving of some \$50,000, if in fact a similar rain arrangement can be made for other summers and sprinklers thus be made superfluous altogether. The deciding vote of Speaker Hull in the Legislature prevented a state-wide Volstead referendum, but this summer Boston at least will be wet. And, therefore, so long as we are to have a rainy summer season, the committee quite consistently asks us also to lop off \$2,000 from Park Department, B-40, thereby reducing the proposed appropriation for band concerts. While there are those who believe that municipal band concerts are a boon to the many outside the Back Bay unable to attend Symphony concerts or buy a box at the opera, nevertheless who really wants to stand on the Common in the rain on a warm summer night even to hear music? Boston is becoming such a wonderful place to live in, it appears that few if any of our citizens will leave our city limits during the balance of the year and accordingly we are to cut from Health Department, B-17, the sum of \$5,000 which might otherwise be expended on Boston residents stricken outside our city limits with contagious disease. I understand this quarter of a million dollars additional can be

opped off the department estimates by the City Council,—in addition to the \$2,680,000 paring already accomplished,—in view of the fact that numerous department heads have been frank enough and honest enough to admit that there are certain items which they can get along without and still not close City Hall and lock the city gates. For example, take the Park Department, C-7. The Park Commissioner asked an appropriation of \$7,500 for use in the city public baths, which figure was not criticised even by the Finance Commission College faculty, perhaps due to the fact that bath towels are not a dead loss to the city, inasmuch as a charge is made to bathers for their use, and perhaps due to the fact that in some quarters bath towels have erroneously been considered a necessity. Last year, to be sure, the expenditure amounted to \$6,100, but for 1927 the committee has recommended cutting the item to \$4,500 or \$2,500 under the Mayor's proposed budget. Very likely the Park Commissioner frankly admitted to the gentlemen from the Back Bay the undoubted fact that a man can get along after a shower bath without the use of a bath towel, if the bather will only shake or shiver a sufficient length of time to dry off. While I am informed that no suggestion direct or indirect was fortunately made to eliminate soap yet who can successfully argue that a bather can't conceivably get along without the spending of a penny or two for the use of a city towel? With such a frank and open admission on the part of the Park Commissioner what could any committee do but cut down on city bath towels! I was glad to hear that our genial friend George Johnson, the Collector of Taxes and Director of Public Celebrations, directly or inferentially, was forced to admit under searching cross examination that he can get along without an automobile and presumably, if it has become a question of bare necessity in city finances, can perambulate the city limits indefinitely, so long as his arches hold out. Of course if the day ever should arrive when prompt transportation becomes an actual necessity to our Collector of Taxes, by all means let us continue to eliminate the automobile. The old reliable horse and buggy will undoubtedly prove more economical and incidentally assist in delaying the arrival of the evil day for the delinquent taxpayer, who as a practical matter, might well prove to be your constituent, Mr. President, or even mine. I am inclined to believe, Mr. President, that if time permitted, I could go on indefinitely pointing out the logic of many of the cuts proposed by the chairman of Committee on Appropriations. As a matter of information I wonder how many individuals on the committee which has recommended cutting another \$232,000 from the 1927 budget make that suggestion because they have patiently sat hour after hour with the councilor from the Back Bay and agree with his position, and how many of the members really so voted as a direct means of taking a slap at the administration. Perhaps, Mr. President, there are no unaccepted streets in Ward 22 and no crying need for any further improvements in Brighton. From my own selfish viewpoint, Mr. President, let me say that in Ward 17, Dorchester, there are scores of streets still unaccepted. Many and many a street needs resurfacing. Many a neighborhood is urging for the installation of some sort of sidewalks and some degree of adequate street lighting. If the weather should unexpectedly clear up during a few days this summer I want my streets oiled or sprinkled and the dust laid. Once upon a time it did snow during the month of December, and if conceivably snow should fall in Boston before next New Year's, despite the understanding between the chairman and the Weather Bureau, I want a 1927 duplication of the wonderful snow removal work done this past winter in my ward as a result of not taking a gamble, and as a direct and very significant result of showing a little foresight. Even if the equipment did cost over \$400,000 and was objected to by the Finance Commission. During the past year and a half no one can say that I have consistently signed on any dotted line. I don't agree with every project proposed by his Honor the Mayor, in every detail. None of us is infallible. The present Mayor of this city may not be a practical and smooth politician, but neither is he an exponent of any spoils systems. I believe he has a clear conscience and executive ability. At the last city election in Ward 17 he received

only 88 votes less than all the other nine candidates for Mayor combined. He had the confidence of my district then, and I believe my people still rely upon him conscientiously to administer the affairs of this city with such reasonable economy as may be consistent with progressive business efficiency. This is not East Burlap; Boston is the capital city of New England. We won't get far going around in a bathing suit—especially without any towels. As yet no one has successfully shown me that you can ever get \$2 worth of anything for a dollar, —unless there is a catch in it,—or that you can eat your cake and have it too. The employees of this city and the citizens of this city are more vitally interested in seeing a fair and reasonable budget passed promptly than they are in reading about any quarrel between the City Council and the Mayor. When his Honor the Mayor insists on the inadvisability of cutting \$232,000 more from the 1927 budget,—in addition to his own voluntary cut of two million and the later \$680,000 cut by the Legislature,—I am constrained to admit my reliance on his integrity, his business ability and his faith in the City of Boston. And, so I say rather selfishly, to you, Mr. President, and to you, Mr. Councilor from Hyde Park, and to you gentlemen from Roxbury, West Roxbury and South Boston, and to my four fellow councilors from the great Dorchester district, if the streets in your ward are already like Beacon street and Commonwealth avenue, if your parks and playgrounds very forcibly remind you of the Charles River Esplanade and the Public Garden, if you already have in your ward the adequate street lighting and police protection of the Back Bay, and if the local improvement associations in your district have disbanded for want of anything further to do, then by all means vote with the gentleman from Beacon street to cut the 1927 budget another quarter of a million dollars, unless perhaps you believe in his Honor the Mayor, or earnestly believe in the future of the entire City of Boston. I move accordingly, to substitute for the committee's budget the Mayor's budget, as originally submitted.

President HEFFERNAN—The motion is made that the budget as submitted by his Honor the Mayor be substituted for the committee's budget.

Coun. McGRATH—Mr. President, after listening to the rather frivolous review by the councilor who has just taken his seat, I might suggest to him that I cannot get in the same frame of mind that he has, because with 60,000 unemployed men walking our streets, I find that it takes most of my time trying to do something constructive. So that, Mr. President, prevents my getting into a jocular frame of mind. After the effort that he must have put in on such a speech, let me suggest to him that he keep it, because it can be used on political rallies or anywhere else, covering, as it does, bath towels, listening in on telephones and other topics. It would be too bad if such a speech were to be used only once; so, if I were he, I would keep it handy for repetition on other occasions. As for myself, however, in considering a budget involving over \$30,000,000, the one really important thing that we have to vote on each year, I find myself in a serious frame of mind because we are not only passing on an appropriation of \$30,000,000, but we are exercising today in this Council the most important function we have in the course of the year. I think we should meet the problem as the directors of a bank would meet it. Looking at it from that point of view and analyzing it, let us see briefly where we differ from the Mayor of Boston. We hear of the cut of a quarter of a million dollars, and yet practically 70 per cent of that cut comes from two departments, the Public Works Department and the Park Department; and out of that 70 per cent, or a little better than \$150,000, \$63,000 cannot be defended on the floor of this body by any member of the Council. I refer to the money that the B. E. Grant Company is about to steal from the citizens of Boston, at a time when there is more unemployment than we have known for years, at a time when there are more people walking the streets asking for a bare pittance on which to live than has been the case in our recent history. And we find that contractor using flushing apparatus bought and paid for by the citizens of Boston, which has been given over into the hands of this man, and getting \$650 a day for 100 days, and rainy days included. You would be charged for a day like today, or the people of this city would be, \$650 for watering the streets of down-



town Boston! You talk of Dorchester, you talk of Hyde Park, not one dollar of it is to be expended in those sections; and I defy any member of this Council, Mr. President, from you down, to talk here in favor of that \$63,000 and then go back to your wards next October, when the tax bills are coming out, and try to explain your position, in voting to give to a contractor the use of city-owned equipment, city water, and go out on rainy days supposedly to water your streets. Let any man who has the courage to do so get up here and defend that appropriation of \$63,000, most of which will be stolen from the people in our wards, who pay taxes and who elect men who will stand on this floor and fight for Grant and fight for those who are controlled by Grant and control Grant. Let those who will fight for that \$63,000 item, let those who will stand up here today and vote against this chance to make a cut of 13 cents in our tax rate, a cut in our tax bills which will be made possible by the chairman of the committee and the committee on each thousand dollars for the people in every ward of the city. Let those who will fight for these favored contractors. But I say this to you, I have never quarreled with a man in this body on any vote he has ever cast. That was his prerogative and his privilege. I am not now going to so quarrel, but I will say to every man in this body to whom promises have been made since last Friday that there has never been such a promising young man in my day in politics in this city as the gentleman who is now Mayor of the city. He is very promising, but the promises are never kept. And remember, gentlemen, that when you vote against the report of this committee here today you are voting to defeat an earnest and honest effort on the part of this committee to have the taxes imposed on our citizens lowered. You owe more to the people who sent you here, gentlemen. When you come to look over the various items here you see that most of them are for such things as motor vehicles, new automobiles or repair of automobiles, for experts, items of that kind, items which the heads of the departments themselves admitted could be reduced or cut out, and which the committee was amply warranted in cutting, in view of the statements made. You will find in the Law, Health and Hospital Departments items for money to be spent for experts. The committee acted wisely in reducing those items. How often are the recommendations of those experts carried out? We could appropriate \$100,000 for experts for every department; we could encourage a great deal of such work as we saw put in on standardization by men held in high regard in this city, spending day after day on investigations, only to see the results of their work thrown aside. We could bring in here architects who could show you what you should do to Copley square, treating it in every possible phase and from every possible standpoint, producing designs that will depict wonderful monuments and gardens, accompanied by very substantial bills for their professional services. But their proposed plans are never adopted. Those are not the things that people want to have done at this time. This is a serious time. So far as the \$12,500 for snow removal is concerned, if the exigency existed we could get that sum tomorrow; and next December, if we should have occasion to worry about snow, how long do you think it would take this body to pass an item for snow removal? So far as the \$25,000 for street signs is concerned, Mr. Atwood and the others representing the department said that if they had it they could not spend it this year, that they already have \$25,000 that they have not yet spent, and that they could not this year spend that additional \$25,000. So that is not a thing that is up to us. The councilor from Dorchester spoke of street surfacing and of sidewalks. Although I am not a member of the Committee on Appropriations, Mr. President, I attended every meeting to see what was going on and to see how our city was being run. I was interested to that extent and I feel that I now have a right to talk about what went on in that committee because I devoted my time to listening. The chairman of the Finance Commission said it was a catastrophe for the present administration to have cut the item for reconstructing and repairing streets from \$1,000,000 to \$250,000, and to cut the granolithic sidewalk item from \$200,000 to \$50,000. The Commissioner of Public Works was asked if the streets of Boston would be in as good condition at the end of this year as they were last year,

and he said he didn't know. I think it is generally conceded, of course, that they will not be—that they certainly will not be with the cut to 25 per cent of the street reconstruction and repair item and the sidewalk item. But that cut was made downstairs by his Honor the Mayor, and not a dollar of either of those items was cut by the committee. We don't want to be misled, gentlemen. If we are supposed to take the blame for anything that may happen here, I want to assume my share of the blame when it is properly attributable to me. But I say this, it is not any feeling of opposition to the Mayor's office that actuates me in speaking in behalf of the budget as reported by the committee today, because I don't mind telling you, Mr. President, having in mind the Committee on Appropriations that you selected, and knowing the time that they gave to consideration of the subject, that if they had brought back the budget without one item changed, I would have been with the budget as reported by them. I say that, Mr. President, because I had ample opportunity to be cognizant of the diligent work, the patient work, that they gave to this matter. I saw them sitting here day and night. I saw them here on the opening day of the ball game, giving up their time to this matter, when they did not have to do so. I saw them sitting here until late at night wrestling with the problem, under the faithful chairman of the committee. And, sir, if anything would justify the existence of this City Council, I say it was amply justified by the work of the chairman of such a committee. You, sir, are to be congratulated on the Committee on Appropriations that you selected this year. If any noteworthy service to the city has been rendered in this body, it has been rendered by the members of the Committee on Appropriations. They came out with this report, unanimous except on one item, where one man was off. The rest of the membership of this body should certainly stand by such a committee. You must stand with it, Mr. President, because you selected it, and you cannot go back on your own committee. I don't care how much log-rolling there has been here in this hall, and we all know how much there has been, we should never, Mr. President, turn our backs on the chairman of that committee or on the committee. I certainly, as a member of this body, will not turn my back on them. If there is no justification for these cuts, let those who say there is not, stand up and meet the committee like men. Let there be a stop to these telephone calls coming in from Tom, Dick and Harry, from every ward in the city, from men who don't amount to a snap of the finger, politically. If the man downstairs believes in this sort of thing, he has a right to come here, sir, and I ask you to send for him, so that he may stand up there where you are, Mr. President, and tell the members of this Council what he thinks, for example, of Bernie Grant's \$60,000 steal. If he has the courage of his convictions, sir, he will stand up there where the President stands and defend his attitude on this budget. I would not ask the Council to bear with me too long, but I will simply say, so far as action taken on appropriations for different departments is concerned, that on the Hospital, Health, Fire and Police Departments we have been taught for years that there is no tampering with them. The Police Commissioner comes down here and, no matter what item he asks for, we have to grant it under the law. It is the same with the Licensing Board and the Schoolhouse Commission. And yet the Police Commissioner allowed a cut of something over \$4,000, although the chairman of the committee knew that he couldn't get it unless it were agreed to by the commissioner. There is an official who did not have to give up a dollar of his appropriation. But he did. In the Fire Department there were some cuts, for instance, in wearing apparel and fuel, but the Fire Commissioner agreed that they could be made. In most of the other departments there were some cuts in motor apparatus, in one way and another. A man, for instance, might want a new automobile, not wishing to continue with a machine that was one, two or six years old, or perhaps wanting a more expensive car for his own pleasure. There have been some cuts in such items. But the people of Boston are not concerned with questions of that sort. If a man has a little Ford, even if he is paid \$6,000 or \$7,000 a year, it will not injure him any to ride around in it a whole lot. And, after all, I think we have to keep in mind the people who have sent us here, the people who pay the bills, the people who keep,



us here, and we now have an opportunity, through the report of this committee, to say to the people in every ward, from East Boston to Hyde Park, "Here is a reduction of 13 cents per thousand on your tax bill." In the controversy between the Governor of the Commonwealth and the Mayor of Boston, we saw whole columns in the newspapers on the question of the difference of 50 cents in the tax limit, representing the different points of view of both men. All of Massachusetts was aroused upon that matter. And now here is an opportunity to obtain a quarter of that saving in one afternoon, something that will benefit every man who owns a home and who has to pay taxes, thanks to this committee and to the chairman of the committee. And, as representing my ward, I will thank that committee because in making this saving not a single man's salary has been cut and not a single man's position has been taken away. There were rumors that when the Finance Commission came down here and demanded the cuts which they asked for the chairman would yield. But he did not yield so as to allow the cutting of a dollar from a salary. And if this report is accepted and the budget accompanying it is adopted, there will be no more talk, if these items are eliminated, of graft and petty thievery, because every item from A-1 down has been gone into carefully, the result emphasizing the thoroughness with which the committee examined into every item of the budget, making as a result in the aggregate a sum that is decidedly commendable and worth while. I say again, in closing, that I would now vote for the recommendations of his Honor the Mayor if they had been supported by the committee, because of the faith I have in the way in which the committee performed its duty. So far as the Finance Commission is concerned, I sat here on the day when questions were asked of the Health Department on the proposition advocated by the Finance Commission, of cutting out every single inspector who dealt with the milk supply of this city. I saw the Acts of the Commonwealth brought in here and read to Mr. Carr, the chairman of the Finance Commission, showing that those inspectors were created by law. He evidently then knew for the first time that they were a state-constituted body and took issue with his investigator. And, sir, Doctor Mahoney said this: "Before we had these inspectors, who inspect the source of supply of milk coming to Boston from the country districts, we found milk filled with manure," and he said that if that condition were to be brought back again through the discharge of these men he would no longer want to be commissioner. The Finance Commission still thought, however, that those inspectors should be discharged, and when I found that these men were so avaricious in their desire to cut down the budget, no matter how close to the quick it came, with the inevitable resulting pollution to the source of supply of milk furnished to infants of this city, filled with manure and other impurities, because of the discharge of those fourteen men who were protecting that source of supply, I paid no further attention to their reports. I also saw them sitting here day after day admitting that they had not given the matters upon which they were reporting study; that they had perhaps telephoned to some one in some department, for instance, getting their information about the fourteen inspectors from someone in the State House, I paid no further attention to them. But seeing, as I did see each day, the work done by the committee, I sincerely believe it is the duty of every councilor here to justify the existence of this body by going through this committee, unless his Honor the Mayor will come here and stand where you are, Mr. President, and point out defects in what I consider a splendid report by the committee through its chairman. If his Honor the Mayor will do that, Mr. President, I would like to suggest that you offer to him the chair of this Council for that purpose for the next half hour. I make that, sir, as a motion.

President HEFFERNAN—The motion is made that his Honor the Mayor be invited to attend the meeting of the Council this afternoon.

The motion was declared carried.

President HEFFERNAN—The City Messenger will so inform his Honor the Mayor.

(City Messenger Leary retired for this purpose.)

Coun. GUILD—Mr. President, I move that we take a recess until the return of the City Messenger.

Coun. PARKMAN—Mr. President, I object to our taking a recess at this time. It seems to me there is no necessity whatever of our taking a

recess. Let us go through with the budget and get through with it. I object, and ask for a roll call.

Coun. Guild's motion to take a recess until the return of the City Messenger was lost, yeas 1, nays 21, Coun. Guild voting yeay.

Coun. GUILD—Mr. President, an hour ago I could have wished that I came into this body with a prepared speech with reference to the budget which we have under consideration. Since that time has elapsed, I am glad that I did not do so. To Oliver Wendell Holmes is ascribed the saying that a pun is the meanest form of wit. I take exception to Holmes and say that, in my opinion, sarcasm is the meanest form of wit. However abject an apology may be made for it, it can never remove the meanness, bordering on scurrility, of the attack that has been made on the chairman of the Appropriations Committee by a previous speaker. I sat here thoroughly ashamed to hear it go on, and I am almost surprised that the President of the Council allowed such a personal attack to be made.

City Messenger Leary returned to the Chamber at this point, and said: Mr. Chairman, Mr. Reid, the Mayor's secretary, said the Mayor had left to go to lunch, and he could not say at what time he would return.

Coun. GUILD—Mr. President, I think I have sat through as many hearings of the Committee on Appropriations as any member of the Council save the chairman, and I have heard substantially all the testimony that has been offered in regard to the various items of the budget as submitted by the Mayor. I think I probably have as good an idea as anybody except the chairman of the Appropriations Committee of what it is all about. While I have attended those meetings and have been courteously permitted by the chairman of the Committee on Appropriations to ask questions from time to time, and have the greatest admiration for the monumental work which the committee has accomplished, I do not hesitate to state that I am prepared to disagree with some of the judgments of that committee. I think it is wrong to assume that a member who is voting differently from the committee is doing so because of some promises that have been made. There have been no promises tendered to me on any occasion when I have voted in this Council. I have used my own independent judgment, and I don't look to others to exercise judgment for me. I do not look to the chairman of the Committee on Appropriations to exercise judgment for me, or to the Mayor of the city or to any other individual. I am elected here as a member of this body to exercise my own judgment on these matters, and I do so. My votes on the various matters that may come before us represent my own judgment, not that of anybody else, and are not based on anybody's promises. There have been many items of greater or less import referred to by the previous speaker. One of the items, of which I wish to speak briefly, is that of snow removal. It has been stated that we need have no worry whatever in regard to the matter of snow removal next December in case the city suffers from a heavy snowfall, because at a moment's notice the Mayor and the auditor, acting jointly, may act; but I would call the attention of the Council to the fact that, in order to transfer money to that item, there must be money in some other item that you can take it out of. The budget has been pared down by the efforts of various men—by the Budget Commissioner, the department heads, the Mayor and the Committee on Appropriations. We are taking a gamble if we leave it in the way suggested by some of the previous speakers, trusting that there will be some item in which there is money which may be transferred in case we do have snow next December. They suggest that there will be such funds available, but the gamble is there, just the same. I think the purchase of the snow removing equipment last year, and the way the thing has worked out, is a sufficient answer to any city councilor who suggests taking a gamble of that sort. The district that the chairman of the Committee on Appropriations represents is a district in which I am somewhat interested, although not in an official capacity. I believe the people of that district will suffer fully as much as the people of the Dorchester district in the event of a heavy snowfall that cannot be removed because of lack of money. The chairman of the Committee on Appropriations is willing, in order to make the burden of the taxpayers as light as possible, to

take that gamble. In that my judgment differs from his, and I say again that it is purely and simply a question of judgment. I think he is sincere in making the recommendation, and I trust that he gives me credit for being equally sincere when I say that my judgment is otherwise. All these items to a certain extent are a question of judgment. The Committee on Appropriations sat here, as indicated by the record, in day and evening session, and in attendance the staff of the Finance Commission, representatives of the Boston Chamber of Commerce, the Boston Real Estate Exchange, and other people who had, or thought they had, interest in the city budget. The situation was very difficult for anyone to handle, but it was handled as gracefully by the chairman of the Committee on Appropriations as I can imagine anybody handling it. Those men were there watching every move and making their notes. I am not at all surprised at the recommendations of the Committee on Appropriations through its chairman, but when it comes to voting, I must frankly say that in some instances my judgment is different from the conclusions they have arrived at. I want at the same time to give all credit to the committee for its wonderful and painstaking piece of work, as indicated by other speakers. In closing, I wish to say that I hope the occasion will never arise here again where we will be obliged to listen to any such sarcastic outpouring in regard to any man who has done such a good, conscientious piece of work as the chairman of this committee has done.

Coun. DOWD—Mr. President, while the Committee on Appropriations has brought in a report reducing the Mayor's budget some \$232,000, the one item that I believe the members of the City Council are mainly interested in is the item of \$63,000 which we have taken away from a contractor. I do not believe it is the wish of the Council to spend five or six hours here arguing over \$50 or \$100 items. The main item to be decided this afternoon is whether the members of the City Council desire to give to Grant the same deal that he had last year, through a present of \$68,000 for watering the streets of Boston. After all is said and done, the only thing that the members of the Council can and should go by is the records of the Appropriations Committee, and the records of one of the meetings of the committee absolutely show where Coun. Dowd asked the commissioner whether or not it would be good business for the city to purchase his own equipment, and the commissioner answered, "Absolutely, yes," and two days later, last Friday, he tried to change his statement on that matter, showing that somebody had reached him and told him what to say at the next meeting. But the records show squarely that Commissioner Sullivan admitted, as head of the Public Works Department, that in his opinion it would be good business for the City of Boston to purchase its own trucks and its own equipment, which could be bought at a price not exceeding \$60,000, a price less than was paid Grant last year and \$8,000 less than it is desired to give him this year. And then the committee went into the matter a little deeper, and what did they find? They found that in the last year of the former Mayor's administration, six of these truck flushers had been bought for \$21,000 or \$3,500 apiece, and that upon this administration coming into power those outfits were stored in the South End yard and some of them loaned to Grant at a merely nominal charge of \$200 per year, despite the fact that they cost the City of Boston \$3,500 apiece. I wonder if there is any business man in the City of Boston who would pay \$3,500 for an outfit of this sort and then make a contract with a man to sprinkle the streets and allow him the use of that outfit for \$200 a year? And what else do we find? In the course of this year and next year, if this Council passes this all-important item, Grant will have received some \$204,000 for sprinkling the streets of Boston for three years—and when I say "the streets of Boston," I mean the streets in the downtown section, because Roxbury, Dorchester, Jamaica Plain and all other such outlying sections will not see a watering cart once a month. No doubt the argument will be advanced this afternoon, "Why not allow Grant to have the six sprinklers, as usual, and use them in the outlying districts?" They had the opportunity last year, but did they do it? Of course, they did not, and we have no reasonable assurance that they will do it. Grant will have received in three years \$204,000. The figures

show that we can supply six of our own trucks for \$21,000. The upkeep of the trucks will be something like \$3,000 a year, which means \$24,000 or for three years a total cost of about \$75,000, as against \$204,000, which will mean approximately, if we pass the budget as submitted by the Mayor this afternoon, that in this item the taxpayers of Boston will be absolutely robbed, through this contract system, of this enormous difference. Don't you think, gentlemen, that the old system of contracts should be done away with, and the taxpayers who have sent us here given a square deal in this matter? Not one of us, if this were our own private business, would think for a moment of letting this contract, or any such contract to this gentleman. Sixty-four dollars a day is a lot of money, when they don't pay a nickel outside of upkeep and help, don't have to buy the sand and gravel, and use the city's water. I am absolutely against this item of \$63,000 in the budget. I believe there are various items in the budget which should be restored, small items, that do not mean much financially, but that might improve the efficiencies of the city departments affected. But I do firmly believe that at this time we should take the necessary steps to remove from our rolls these favored contractors who for the last twenty years have been robbing the people at every opportunity.

Coun. FITZGERALD—Mr. President, there is one item here in which everybody seems to be vitally interested, and that is street watering. That seems to be the burning issue of the hour. It has been charged around here that I am interested in the Grant contract, that I am part of the Grant outfit, and that Mr. Lomasney is another part of the Grant outfit; that we are the owners of this concern, that we are the ones who are robbing the treasury and getting all of this glittering gold. As far as I am concerned, I am not interested in the Grant contract, and it is immaterial to me whether you vote for it or against it. I am voting for it. There are several reasons, and I will give them. In the \$63,000, \$10,000, I understand, is for the hiring of teams. My only concern is that I want to see the people of this city, the poor people, get a fair show. The gentleman who spoke last knows perfectly well, so far as the Commissioner of the Public Works Department is concerned, that he has no street watering equipment in that department, and that if they did buy it for \$34,000, as he states, or \$3,400 for each truck, those trucks are not now fit for this purpose. Since time immemorial, street watering in this city has been done by contract, and everybody knows it. This is not a new thing. Even before the days of the automobile we had the horse-drawn watering carts all over the city. Everybody knows that. The city cannot maintain its existence without resorting to contracts. We once had a mayor of this city, the late Josiah Quincy, who undertook to revolutionize the entire work of the city. He installed in City Hall a department to do all the work. But it couldn't be done. It had to be abolished, and they had to resort to contract work. In this case this man Grant has been selected as a target by members of this Council. The question is, are the streets of the city to be watered this summer or not? The chairman of the committee stands up here and tells us that there is money enough to provide for the watering of the streets until July. Then, I ask him and other speakers why it is that the watering carts have been laid off, if there is money to supply this need? If we were today in a terrific hot spell, no watering could be done in the city if we lay off these trucks that are now doing the work. These watering carts of the city that they talk of do not exist. The only things that Mr. Grant hires from the city, I understand, are two pumps. Those are pieces of junk, up there. Who is the man who started dismantling these so-called watering carts? What administration dismantled them, and for what purpose? It was certainly not done under this administration, certainly was not done by Grant. The fact is that it has been admitted here that the city cannot do it. Mr. Murphy said that possibly he would be able to supply two watering carts along the middle of July. What are we to do in the hot days of June? Then, these people here say that we will have no snow in December. What do they know about it? We may have the most terrific hot spell in the history of the city in the next few days, and we may very well have heavy snow in December. Now, the streets of this city will have to be watered.



The city cannot possibly do it, because it would cost \$10,000 to \$12,000 apiece for proper apparatus. This apparatus of the city that has been referred to was purchased by the preceding administration, that the previous speaker grew fat and rich under (laughter). Certainly Grant did not ask for it. When the previous administration bought it, there was no question then. Where was the great purifier then? Why didn't he protest, under the previous administration? Oh, no, he was growing fat and rich, enjoying the fruits of victory, and it was another story. But I believe in being charitable, in victory or defeat, just the same. And now Grant is on his sick bed, unable to fight, and his money is invested in this proposition, and the city cannot do the work itself. The Mayor says so and the Commissioner of Public Works says he cannot do it. It is an impossibility. Certain people in their arrogance, last week, said that the North and West Ends shouldn't be taken care of. We were told in committee about the situation, and how eleven or twelve men in the city employ were sick at times and wouldn't show up. And we are told about city men being laid off last Saturday, but nothing is said about married men with families working for the contractor. They have their babies, too, and they may have no bread to put on their tables. They are to be thrown out ruthlessly, without an opportunity to be hired, are to be fired out of employment. Personally, I am not concerned, and Mr. Lomasney is not concerned. It is said that a ledge owned by Mr. Lomasney is hired by these contractors. But that has nothing to do with this case; and Mr. Lomasney has nothing to do with this concern, and I have nothing to do with the concern. Hasn't a man a right to invest his money as he sees fit? But he has no concern in it and I have no concern in it. Personally, it is immaterial to both of us what you do here. I am reminded of the time when Mr. Lomasney was a lamplighter and left his job. They were trying the experiment of putting up electric lights, and the lamplighters held a protest meeting in Faneuil Hall against installing the electric light service. But Mr. Lomasney said, "I am going to retire. We cannot stop progress, and the time has come when the streets are to be lighted by electricity." So he became a health inspector. He was far ahead of his time. He does own a ledge that Grant has a building on, and he is charged on that account with being interested in this matter. He does not deny that he owns that ledge, and I don't deny it, but neither he nor I have any concern whatever in this contract. I do think, however, that the men employed are entitled to consideration. The Commissioner of Public Works knows that he cannot do this work within his department. Both he and the Deputy Superintendent admit that, Mr. President. They have not got apparatus that will do this work. When six trucks are referred to, I wonder if anyone thinks that we can water all the streets of this city with six trucks. Before the advent of the automobile there were 100 watering carts, under contract, and this work has always been under contract. The city cannot buy these trucks equipped at less than \$10,000 or \$12,000 apiece, and if it should have six of them it could not do the work without help. We were told in the committee that they had to call on the contractor, and they will have to call on contractors in the future, as they have had to do from time immemorial. They always had and always will have contracts for this work; they will have them when you and I have passed out and somebody else has taken our places. We have heard reformers before, and still the city goes on just the same, as it will when you and I are gone. And so it will be with the street watering. I have no concern whatever in this contract, but I know that the street watering cannot be done during the coming season without the aid of contractors. When you talk about the city getting an outfit to do this work, that will take time. An order would have to come in and go through various stages, and then the apparatus would have to be purchased, obtained and equipped. You all know it, and those things take money and take time. But there are some who want to pick this man out. They think that they have here a chance to get back at me, to get back at Lomasney. But we have no concern in this. None of my money is invested, and none of his is invested; and, no matter what action is taken on this matter, he will go on getting his three squares, and I will, too. There is no danger on that score.

Coun. KEENE—Mr. President, throughout the study of the budget since it left the hands of the Mayor and has been considered by the Finance Commission and afterwards considered by the Governor and the members of our Legislature, it would seem to me that there has been plenty of room for difference of opinion. I think that is true with the exception of one item in the Fire Department, C-16, Wearing Apparel, where an error in computation was made, which is not to be wondered at in a budget comprising approximately \$41,000,000. But the time has now arrived when each member must express himself personally. In other words, it is now a matter of the opinion of each member of the Council. I do not believe there is a man in this body who has been promised anything to vote for this budget; neither do I think there is a man in the Council who needs any one to speak for him. I don't think any member need fear voting in accordance with the dictates of his own personal opinion. But after a study of the budget as submitted by the Committee on Appropriations I personally cannot agree with the committee. There are several items which, it seems to me, should be given careful and particular attention and which should be considered from every angle before a decision is arrived at. In the budget as submitted by the Health Department, under B-17, Care of Persons, the committee has recommended a reduction of \$5,000. This covers the payments which the city is called upon to make during the year for the care of sick persons with communicable diseases domiciled outside of Boston, but who are legal residents of the city. The largest payments under this item are made to the State of Massachusetts for the care of citizens who are patients in the state sanatoria at Westfield, North Reading, Rutland and Lakeville. Bills for this service are rendered quarterly by the state, and the records of the Health Department indicate that for the three months ending March 31, 1927, 183 citizens of Boston were patients at the four institutions and that the charge rendered by the state for their care totalled \$27,965. In addition, fifty-five citizens were given medical care in private hospitals throughout the state, and bills covering sixty-two cases of undetermined settlement were pending in the Health Department. The actual payments on these 117 cases for the first three months totalled \$1,000, making a total expenditure for the first quarter of the year under this item of \$28,965. The expenditure for the full year at this rate would be \$115,860. The Mayor's allowance under this item was \$115,000. The Committee on Appropriations, guided largely by the fact that the expenditure for 1926 under this item was \$110,017.14, has reduced the item to \$110,000. In so doing, the committee has removed from the item the small margin of safety which was present in the Mayor's allowance, and in view of actual expenditures for the first quarter of the year has reduced the item below the probable total expenditure for the year. Even though it may be said that any deficit at the end of the year may be met by transfers either from unexpended balances within the appropriations of the Health Department or from the Reserve Fund it does not appear logical or sound budget procedure to reduce below what appear to be the irreducible minimum an item involving the care of the sick. The city's obligation in this matter is clearly fixed by statute and this Council would be ill-advised if it was to vote a reduction which is certain to limit and interfere with the Health Department in its fulfillment of the obligation. Items 2, 3, 7 and 8 (Park Department, A-3, Unassigned for Overtime, reduced \$1,000; B-21, Removal of Snow, a reduction of \$2,500; Paving Service, B-21, Removal of Snow, a reduction of \$10,000; and Sanitary, A-3, Unassigned, a reduction of \$3,000) represent emergency appropriations allowed within the budgets of the Park and Public Works departments to meet the almost certain demands which the winter months of this year will present in the matter of removal of snow from our city streets and parkways. In making these reductions the committee was influenced by the statement of the engineer of the Finance Commission that within his thirty years experience in snow removal work in only three years have snowstorms of over four inches occurred in December. It is not my intention to question or impugn the experience of Mr. Emerson, but the happenings of last December are too fresh in my mind to permit me to accept unqualifiedly the inference that the city will not be called upon this year to spend any more money



on snow removal work. New England winters have a reputation for disregarding tradition and experience and it is a brave man indeed who will attempt to prophesy so far in advance. We know from the experience of the past two years that a single snowstorm may place a burden of \$150,000 on the treasury of the city. In view of this fact, emergency appropriations totalling \$16,500 appear very modest. The citizens and merchants of this city are vitally concerned in this matter and to my mind this Council would be taking a step backward in voting to eliminate these items. Executives in other Massachusetts cities may be content to let Nature take its course in the event of the occurrence of a snowstorm but such a penny-wise and pound-foolish policy of economy should never be adopted in the capital city of the Commonwealth. Items 4 and 6 (Park Department, B-39, General Plant, a reduction of \$10,000; and Cemetery Division, B-39, General Plant, a reduction of \$5,000) involve reductions in appropriations for plant repairs in the Park Department and Cemetery Division. The original budget estimates of these divisions included requests for appropriations under this head totalling \$204,000. After a careful examination of all the items involved the Mayor fixed the appropriation for the Park Department at \$110,000 and for the Cemetery Division at \$20,000 a total reduction of \$74,000. Of the Park Department allowance, \$100,000 was specifically allocated to definite items representing necessary repairs on the twenty-four parks and forty-three playgrounds maintained by the city, and \$10,000 was allowed as an emergency appropriation to cover contingencies bound to arise during the year. The purpose of this emergency appropriation was to ensure the definite fulfillment of the repair program covered by the \$100,000 appropriation. In the absence of such an emergency allowance contingencies could only be financed by the postponement of some item in the regular program. The Committee on Appropriations has seen fit to eliminate this emergency appropriation. Since at the present time no definite label is attached to the item no individual councilor can complain. In the event of an emergency arising, however, and in view of the extensive park system of Boston who will question the fact that unforeseen contingencies are bound to arise, it will have to be met through the deterring or postponing of some badly needed district repair. For this reason I strongly urge the members of this Council who have an interest in the maintenance and upkeep of the parks and playgrounds in their respective districts to consider the fact that a vote in favor of the elimination of this emergency item may lead directly to the elimination, for this year at least, of a local repair item in their own district. Over \$25,000,000 has been spent in acquiring and developing the park system of Boston. Surely a plant repair appropriation representing less than one half of 1 per cent of the capital cost of the park system can not be termed extravagant or unwarranted. In the Cemetery Division the committee has eliminated \$5,000 which was to be spent for permanent roads in the Fairview Cemetery, Hyde Park. At the present time most of the roads in this cemetery are ordinary dirt roads and after a heavy storm naturally become rutted and gutted. I know every councilor will agree with me when I say that one thing a cemetery should have is decent roads. Surely the sorrow which surrounds the people who go there should not be augmented by the discomfort and inconvenience of riding over rough and uneven roads. The principal private cemeteries in this vicinity, like Mt. Auburn and Forest Hills, all have permanent roads. In view of the small amount of money involved I feel that it would be unwise for this Council, as a body, to support the recommendation of the Committee on this item. A reading of the transcript of the hearing at which the appropriations of the Park Department were considered will prove conclusively that the allowance voted by the Committee on Appropriations under Item 5 is wholly inadequate. This is Budget Item C-7, Furniture and Fittings. Under this item come such articles as bathingsuits, towels, attendant's uniforms, etc. On page 575 of the transcript the minimum requirement of the department for this year was stated by Chairman Long to be

|                           |            |
|---------------------------|------------|
| Attendant's uniforms..... | \$1,407 36 |
| Towels.....               | 4,300 00   |
| Total.....                | \$5,707 36 |

The committee in spite of this testimony voted an allowance of \$4,500, which is \$1,200 less than the minimum requirements of the department, and a reduction of \$2,500 from the Mayor's allowance of \$7,500. The excess represented by the difference between this latter figure and the minimum requirements stated by Chairman Long is to cover the purchase of bathing suits for use at the different bathing places maintained by the department. Here is an item directly affecting the comfort and convenience of the patrons of the baths and pools of the city. No more famous institution exists in this country than the L Street Baths. The cut recommended by the committee under this item directly affects the quality of service to be rendered by this famous watering place. I feel certain that this Council knowing the facts concerning this item will not vote to support the committee in its recommendation. The largest cut made by the committee is that indicated under Item No. 9. This is Budget Item B-6, covering the hire of teams in the North and West End sections of the city and of flushing trucks for use on the macadam and granite block streets of the city. Under the Mayor's allowance \$22,000 was provided for the hire during the year of eleven single horse-drawn teams, and \$68,000 for the hire of flushers during six months of the spring and summer seasons, making a total allowance of \$90,000 under the item. The committee has reduced the allowance to \$27,000, of which \$12,000 represents the actual expenditure to date for single teams and \$15,000 is the estimated expense of maintaining contract flushers until July 1. The committee's action, if approved, will prohibit any further hire of teams and will force the city to find some substitute for the flushing trucks after July 1. The North and West End sections are the most populous and congested sections of the city. Because of the large number of stores and mercantile establishments within the limits of these sections it is imperative that the removal of waste be completed early in the day in order to avoid the congestion on the streets, which naturally follows the opening of business. Because of the narrow and tortuous condition of the streets and alleys in these sections it is not feasible to use large trucks. Single teams have been found to render the most efficient service. Because of the limited time in which removal of waste is possible dependability of service is of vital importance. Under the contract system dependability is assured, whereas if the districts are forced to depend entirely on the day labor forces of the city, efficiency of service is bound to be lowered, since the number of teams which may be sent out each day depends directly on the number of men reporting for duty. Department records indicate that this number is never constant from day to day, hence the number of teams available for service would constantly vary. It may be interesting to members of the Council, as long as reference has been made to work in various parts of the city, that Ward 3, represented here by the Hon. John I. Fitzgerald, pays 43 per cent of the entire tax levy of this city. According to the testimony of the Division Engineer of the Sanitary Service all of the city-owned teams are now in use in the various districts of the city. This being so, to transfer teams to the North and West End sections, which will be necessary if the hire of teams in these sections is to be discontinued, will naturally reduce the service now being rendered in the suburban sections. Thus the action of the committee in prohibiting the further hire of contract teams is bound to interfere and possibly cripple service in residential districts and it is highly questionable whether the present efficient service maintained by contractors' teams can be equalled by the city teams transferred to the North and West End sections. The removal of ashes, dirt and garbage is of primary importance to every citizen, be he rich or poor, property owner or tenant. This Council should proceed with caution before it approves any action which tends to lower efficiency in this service. A mistaken impression seems to exist in the minds of the committee relative to the number of flushers which the city owns and which it is in a position to put on the street. According to the records of the Public Works Department, three flushers were purchased by the city in 1922 and three more in 1923. This equipment was used until 1925 when the flushers were dismantled, the flushing equipment stored away and dump bodies attached to the truck chassis. Thus as matters stand today the original flushing chassis are five and six years old and because of their age are constantly under repair.

Many of the original parts, fittings, etc., have been lost or used for other purposes throughout the department. Consequently, from the equipment purchased in 1922 and 1923, department officials are of the opinion that not more than two complete units can be rehabilitated for use on the streets. There can be no question as to the necessity and desirability of carrying on the work of flushing and sprinkling our city streets. Experience has shown that the minimum number of trucks needed for this purpose is six. The action of the committee in refusing to provide funds for this work after July 1 will seriously cripple this service, since only two trucks will be available for use after this date. No provision has been made in the budget for the purchase of additional flushing units and even though such an appropriation existed it is highly problematical whether specifications could be prepared, contracts advertised, and the equipment delivered in time to be of any service this year. One question relating to street signs. I am advised that in opening the bids today it appears that if \$50,000 is made available, for 5,400 signs, there will be a quantity saving of 50 cents per unit, amounting to about \$2,700. I am familiar with the evidence of the department head before the Committee on Appropriations, expressing some doubt as to the desirability of using the full sum, or a smaller sum, but I submit to the members of the Council that a policy of that nature is a thing properly to be decided by the Mayor, and if it is his opinion that the needs of the city require a certain number of signs, the policy of the Mayor as outlined should be given greater consideration than the opinion of a department head. I want to say for the information of this Council that in the particular district in which I live, if there is one thing that we need almost as much as streets and sidewalks, it is proper designating signs. I had experience not very long ago in advising a man how to come to the house where I live. I told him to take the parkway, going up West Border road until he came to Bellevue street. But there were no signs, and no policeman, and he finally went clear down to Rosindale village, where they told him to go to the fire house and inquire, and they then told him where it was. I think if the streets were properly taken care of in the matter of signs it would assist to a great extent in relieving traffic congestion that we are getting in this city. In other words, a man might find a street by referring to the signs, instead of blundering around and having to locate it through a policeman or in some other way. Economy and efficiency are two desirable ends in municipal government. In seeking to reach these goals, however, we should not lose sight of the fact that over-emphasis on either one is bound to defeat the other. Over-emphasis on economy is certain to result in a lowering of efficiency, and vice versa. The Committee on Appropriations in eliminating the appropriation for truck flushers has evidently lost sight of this fact. In so far as reference has been made to the flushing contract, my mind goes back to the discussion we had at the time we passed the loan for the purchase of snow equipment, and at this time I am satisfied that that was one of the wisest acts of this body. That is evidenced by the fact that a great many people not only in my ward but in adjoining wards and people all over the city, have stated that during the entire time they have lived in the City of Boston last year was the first year when they were able to get in and out of the streets on which they lived in a reasonable length of time. I cannot help being of the opinion that we should hesitate before taking any action that will materially cut any item in this budget until we are personally satisfied that the amount of the appropriation, as recommended by his Honor the Mayor, is in excess of the needs of the people.

Coun. RUBY—Mr. President—

Coun. WARD—Mr. President, will the gentleman from Dorchester yield for a moment? Since reference has been made to some remarks uttered here earlier in the afternoon, I wish to say that, even if I had the power of oratory, I could not adequately express my feeling of admiration and respect for the chairman of the Committee on Appropriations. I feel that Mr. Parkman is honorable and square, that he has gone over this budget carefully and scrupulously, and that he has acted honestly and as his conscience dictated. I therefore move you now, sir, that the remarks made by the Mayor of Beverly Hills be expunged from the record this afternoon.

Coun. RUBY—Mr. President, about one year ago today — to be exact, the 24th day of May, 1926, — his Honor the Mayor presented a loan order to this body for \$400,000 for the purchase of the now famous snow equipment. At that time the Finance Commission of Boston commenced not only an exhaustive study, but started an unwarranted attack upon his Honor the Mayor because of the presentation of that order to this body. The loan order was discussed in the body for several weeks and during the course of that discussion and study there was presented to each member of the Council a long thesis by the Finance Commission with reference to the unnecessary purchase of that equipment. As a result, this body voted some time in July to purchase the snow equipment for approximately \$400,000. I don't think there is a man in the body today who voted against the purchase of that equipment at that time who would at this time, knowing all the conditions as they have developed since, not vote for the purchase of the equipment, after the wonderful work that has been accomplished by those trucks in the snowstorms of last December and January. When this budget was being prepared by his Honor the Mayor and by one of the most capable and efficient department heads we have in the employ of this city, our Budget Commissioner, in November the Finance Commission started another investigation, and this time employed sleuths, detectives, inspectors and everything else. As a result of their investigation, a book of over two hundred pages was published and presented to every member of this body, showing the possibility of a cut in the budget of 1927 amounting to two and a half million dollars from the amount presented by his Honor the Mayor with the assistance of our vigilant Budget Commissioner. Up to this time not only had the Budget Commissioner been in consultation with department heads, not only had they been warned to keep their budget appropriations down, but immediately after that it became necessary for his Honor the Mayor to go to the Legislature of this Commonwealth with Mr. Fox in connection with the city's tax limit. In spite of the fact that the Legislature had passed in 1926 a \$14 tax limit, his Honor the Mayor this year asked simply for a \$13.50 tax limit, and the famous controversy arose between his Excellency the Governor of Massachusetts and his Honor the Mayor of Boston. The Governor attempted to reduce the tax limit of Boston to \$12.50, but there was not a single vote with his Excellency the Governor in the House of Representatives or the Senate, and his Honor the Mayor of Boston was permitted a \$13 tax limit. That, however, represented a cut in the amount necessary to properly run the city, and it then became necessary for the Mayor to cut certain items. For instance, he was compelled to cut several hundred thousand dollars from street repairs not because, as I understand it, he felt that they were not greatly needed this year, but because of the fact that the necessary amount would have to be replaced and supplied through a loan order, to offset the \$450,000 which was cut from the budget. Although not a member of the Committee on Appropriations, I sat in with the committee several days during the course of the budget investigation, and I want to say now that if some of our department heads had had the courage to present their situation to the Committee on Appropriations as it was presented by other department heads showing the necessity of the money originally provided in the Mayor's budget, we would not now be confronted with this cut of the Appropriations Committee aggregating some \$232,000. It was only after we were asked to give some money back to the Committee on Appropriations that they said, "Well, if you think you ought to have it, take it." And they were told, at that time, if I remember correctly, that, if these amounts were needed, they could be given back to them in another appropriation. I say, Mr. President, that that is, in my opinion, not a proper cut in a budget. I believe that a proper cut in a budget is such an amount as the City of Boston can spare and will not be replaced during that year in any other appropriation. After all, Mr. Chairman, what has his Honor the Mayor of Boston to cut from when an appropriation budget comes in? Approximately \$30,000,000 is asked for in this year's budget by the Mayor. Eighteen million dollars of that will go for the salaries of the employees of the city; so that there is only \$12,000,000 left for street improvements, street betterments, the police and other depart-



ments outside of their salaries and of that \$12,000,000 a careful study must be made in each department before these sums are submitted. And I want to say, both in justice to the Committee on Appropriations and to his Honor the Mayor that, in my opinion, his Honor the Mayor, with the assistance of those heads of departments who must have used pretty good judgment if, after the Committee on Appropriations had spent that length of time as they did, and having before them a proposed two and a half million dollar cut both in taxi service and automobiles and sundry fees elimination, only \$200,000 and some odd could be found by the Committee on Appropriations to cut, and of that sum, Mr. President, I am reminded of an item which is not included here but which was originally suggested during the course of the hearings to be cut, but was replaced last Thursday, a \$2,000 cut in temporary salaries in the Park Department, and when the question was asked as to where that amount was to be taken from, we were told that some twenty-five temporary men who are engaged for five to six months a year under that particular item and are then discharged until the following spring, and if this \$2,000 was eliminated from the budget those twenty-five men could be fired, so that they work for five months and are compelled to loaf for seven months. I say, Mr. President, that items of that kind are directly taken from the salaries of employees. A lot of stress has been laid with reference to Park Department cuts. There is a \$10,000 elimination cut there that is in the Appropriations Committee's suggestions for a cut. I know if that cut goes into effect certain improvements in some of the parks of Boston that are needed will of necessity be eliminated. I am going to be selfish for a minute. I have tried for several months to secure for the young men and women in my district an additional number of tennis courts on Franklin Field. I was promised six additional courts on Franklin Field a year ago last March. They have never been forthcoming because of the fact that the Park Department did not have sufficient maintenance amount in their department, and I was told that, if the budget went through this year as recommended, those tennis courts would be made this year. In my opinion, there isn't a greater need in any section of the city than park improvements, outside, of course, of the major departments, Police, Health, Fire Departments; and I am told that, if this \$10,000 still remains in the cut, those tennis courts must of necessity be postponed another year. Five thousand dollars is cut off Care of Persons. You have heard the councilor from Ward 20 speak about that. It is exactly so. If I may use his name, Doctor Mahoney has stressed the fact that he needed \$15,000 but permitted the committee to make the cut on the \$5,000 item because he was told that, if it became necessary for him to use that \$5,000, he would get it. I say that is not the kind of cut that ought to be made in any department. The snow removal cut must, of course, be put aside as ridiculous. Nobody can guarantee to us that, during the month of December of this year, we won't have as severe a snowstorm as we had last December; and I want to remind those of you gentlemen who live in a district such as I do where during the previous years several streets were never free of snow, if the snowfall came in December, in May it still was on the ground, and this is the first year in a number of years that snow has been removed almost immediately after it fell, and I say that the Public Works Department will have a right to say to you next December, when we are asking for employment for those who are trying to earn their daily bread and the Public Works Commissioner sends in \$10,000 to put snow removal equipment and employees on the streets, they will have a right to say it was you and I who helped to eliminate that item so that those men could not be employed. I believe, to come down to all the facts as stated this afternoon, there is not a \$75,000 cut that should be made in this budget of close on to \$31,000,000, and I want to say that, regardless of how we feel, I think his Honor the Mayor, whether we like his methods or we do not like his methods, whether we like his procedure or we do not like his procedure, if all our committee could find was \$75,000 or \$100,000 that might in some way embarrass him, nothing can be saved from the tax levy of Boston regardless of what you did, nothing can be saved by this proposed cut because, if they do not come to us now, it will come back to us through loan orders,

and if we do not pay it this year we will pay it next year, and we ought not to fool ourselves or our constituents. The budget has been pruned and pruned, it has been cut and cut, by his Honor the Mayor as well as by department heads, and I believe that the original budget as presented by his Honor the Mayor in its entirety ought to be passed on today.

Coun. McMAHON—Mr. Chairman, not being a member of the committee that went through the budget but being one of the members of the Council and invited to sit there, I sat at every hearing that the committee had on the budget, and, at this time, I think the committee ought to be congratulated for the amount of work that they put in on that budget. As the chairman knows, I sat in there and a couple of cuts that he wanted to make, I could not very readily see, and I argued there in the committee and was successful in getting one or two of the items back before it came in here today. But, as I go over the budget and notice what is on this pamphlet we have here in front of us today, I see quite a few items that I do not think ought to be allowed to be taken out of the Mayor's budget. I will take my ward alone. When I was running for the honorable position of city councilor, I gave the people of my ward my promise that when it came to garbage and ashes collection that would be one of the first items I would see was put right back in A-1 condition, and I can honestly stand here today before this body and say that it is the first year of a great many years that Ward 15 has been taken care of by regular collections of garbage and ashes, and in this item alone there was a cut on the Sanitary Service of \$3,000. So I feel, Mr. Chairman, that this afternoon when we pass on this budget with the members that come from the different sections of the city, the same as I do, they will look over those items very carefully. Another item there that is very important to me, and I know it is very important to all the Dorchester councilors, is the removal of snow. As I said with regard to the collection of garbage and ashes, last winter was the first time in the history of Dorchester when we could say right after a snowstorm that the streets were cleared and open for traffic, and in this item alone, in B-21 of the Paving Service, there is a cut of \$10,000. They say if they do not have any snow they don't spend it, but I feel, Mr. President and members of the Council, that that item being left in there alone, if we do not spend it, then it will still be there at the end of the year, and I feel as a lot more of the councilors feel, that if you do not pass the budget, you probably will be licked for election next year. Well, I do not feel that way. I know where I come from I will get hammered and knocked on high tax rates, but I feel from the service that was returned for the taxes we paid in the last year, I am well satisfied, and I think the people from my section are well satisfied, also. There is one more item that they did not seem to care much to put back in, which went back. It was an item in the Park Department, Cemetery Division, employment for these men that go to work on temporary employment. We sat here and the item was cut out, \$2,000. I made a fight in front of the committee, and after some talk with the Park Commissioner he tells me, "Well, if I don't have it," he says, "I will have to lay the men off or I won't put them to work." And right down through this that we have here this afternoon you will see in A-1, A-2 and A-3 the same items that would be cut out, but the commissioner said before the committee he must have them and, if he did not have them, he would have to lay men off. He does not have a worry. But if he came from my ward and had a string of men on his neck like I have, there wouldn't be an item in that sheet that would be cut whether it was not spent or going to be spent. I believe if it is not going to be spent, we should leave it there in case we have an emergency. We must have the money to pay them, and I think the councilors in this body have the same experience that I have when I go to a department head and want a man put on temporary employment or permanent employment, the first thing he says is, "I haven't got the money to do it," and when he tells me that, why, the man does not go to work. It was only last summer that the question was raised of a transfer, and I know one transfer was held up for four or five weeks, and the only way they could get the money to pay a certain contract was to take it out of the temporary employees item of \$15,000, and I was instrumental in hold-



ing it up for three or four weeks, and they finally did come in and say where they had paid it off on other items. If that was not taken out of the other items we still would have men put to work for the city, and I feel that the budget, as the Mayor has presented it to us to pass on, with all due respect to the committee, and I have nothing to say personally to any member of the committee, but, after sitting at the hearings as I did, I think I got a good idea of the budget and, as far as any cuts are concerned, I will vote for the budget as they sent it to us without any of the cuts.

Coun. GILBODY—Mr. President, this is my sixth year sitting here in this body. I probably am the senior member in the body, and I have listened most respectfully to all the various arguments and remarks that have been made this afternoon on the various items, and I am of the mind that the most important thing that comes before this body in its entire function of duties is this budget. The City of Boston, Mr. President, is not composed of suburban Boston, the police, the Old South Church, School street, City Hall, or any other building or thing. It is composed of the men, women and children of this city. They are the ones to whom we owe our duty. Now, I have watched this administration for the last year and some five months, and the Land of Promise has been held forth but has never materialized, and I warn you in accounting for your stewardship for the next election that I hope you will not vote for the Mayor's budget as originally submitted because there is contained therein by admission of his own department heads, two hundred thirty-two thousand odd dollars worth of graft. I sit here as a member of the legislative branch of this city, Mr. President, and the Mayor has in his cabinet—I have no quarrel with the Mayor or his cabinet—but he chooses this man for that position and that man for this position, and I do not care what has happened since the last budget until today. Every cut in the budget was acquiesced in by the department heads, and, as a member of this branch of the government, the City Council. I do not say that I am greater than the Commissioner of the Department of Public Works, or that I know more about the Park Department than the Park Commissioner does, or that I know more about the Health Department than the Health Commissioner does, or any other department there. They all said, "Yes, we can save it." The majority of the members of this Council know that they said it because they were here and listened. We are attacking a particular item of \$63,000 worth of plain, ordinary, up and down graft. Why? We find out since the last budget that certain trucks that were in a certain yard have not been there. They were there last Friday, but now, through some mysterious means, they have disappeared so that there are only two left now in that yard, and we are letting them give away \$63,000 worth of the children's, women's and men's money of this city. I introduced, in December of last year, an order calling for a tax rate of \$28 for this year, and it passed this body unanimously. There was not a single dissenting vote, Mr. President, on that order. Now, I like everybody in this Council, and I hope they won't be buncoed and bluffed in the last few busy hours of the work that has been put in by the steering committee. Reference has been made to streets. This year we were bumped again. We passed an order for \$1,000,000 for new highways, and I now have the authority of the man in charge of the expenditure of that money that there will not be a single dime of that \$1,000,000 spent under the item of highways for the suburban construction of Boston. Reference has been made to police protection. I opposed the budget last year because I was of the opinion that taxes were too high for the pocket-book of every person in the city, and one of the chief arguments was that there would be more police protection, and after the budget was passed the outlying sections got three new cops at least. They raised the taxes of the city to \$31.30, and that was all the principal argument advanced in the meeting last year consisted of. We are experienced enough, after one year in the Council, to know that if a snowstorm comes next December, there is half a million of dollars now in the Reserve Fund, and we are practical enough to know that we can save at least \$100,000, or more, to provide for that eventuality. I do not know whether it is going to snow in December next or not. I am no prophet, nobody is, but we are shrewd enough when we are dealing with a thirty odd million

dollar budget to save enough for the event of a snowstorm. Reference has been made to the snow removal proposition. When the reports came out, the only streets and the only section of Boston that was provided for in that report to be covered by the trucks was the city proper. That is their fault, if they make that proposition and led some of us in the Council to believe it to be true. I will say a great change was made in snow removal during the past winter in my ward, and I do not talk for any other ward here. Let me briefly say that, this year, there was an unexpended balance of \$1,000,000 in the budget that we passed last year. That represents a saving of 50 cents. Half of it, roughly speaking, is in our own departmental expenditures here in City Hall and the other half million is the School Department. I think that half dollar could well have been put into the pockets of the poor folks in my ward, who went without coal this winter because they had to pay a higher tax rate and could not afford to buy coal to heat their homes, and that is a positive truth, Mr. President. I know that this body is up in the air and excited and probably aroused, and I am sorry. I thought the only people in the world and the United States, at least, that fight were the Democrats, but since the Republicans are having their difficulties, and there are all kinds of battles being waged in this body this afternoon, I appreciate that it is not as quiet a party in city as it is in state and national affairs. So we are all in the midst of a series of controversies, and I hope and pray, as I said, that these members won't be led to the Land of Promise. I want them all to be re-elected at the next election, whether it be in November or whatever month it comes in. They have all had a pleasant and honorable service, and don't be bunked. I ask them not to be bunked the last few hours and run chances for election because we want them all back here. Speaking to the report of the Committee on Appropriations submitted so ably and well by the distinguished gentleman from the Back Bay, I will say I come from a Dorchester ward where we do not have the Charles River Esplanade. I come from the ward next to the distinguished speaker that so very ably presented a report in behalf of the Mayor here. I will say for the gentleman from the Back Bay that he was very, very fair; that he had consideration for every part of Boston and the Back Bay was not his only concern, and also for the committee, and in my six years' experience in this body I never saw a better, more exhaustive job done in behalf of the men, women and children of Boston to save them money in their tax rates so that next winter they will be able to live comfortably and pleasantly as do some of the official families of this City of Boston today.

Coun. DOWD—Mr. President, if I may take just a few minutes to read, for the benefit of Coun. Fitzgerald, from the record of a hearing which was held by the Committee on Appropriations, which record he evidently doubts, as follows:

"Coun. DOWD—How much would it cost to equip our trucks?

"Mr. SULLIVAN—I think it would cost as much as to buy them afresh, right out.

"Coun. DOWD—Don't you think yourself it would be good policy for the city to buy them outright?

"Mr. SULLIVAN—I think so. We have the other equipment, and I don't see why we shouldn't have that equipment."

That is the statement of the man that heads the Public Works Department—that, in his opinion, it would be good business for the City of Boston to dispense with the contract with Bernard E. Grant and to purchase the trucks and the equipment outright. At a later date, on adjournment of the committee, Chairman Parkman said this:

"There is one question I would like to ask at the outset, and that is whether the city did not purchase the flushing equipment, which I understand consists of tanks and pumps, under the Curley administration. Is that correct?

"Mr. SULLIVAN—Yes, they did.

"Chairman PARKMAN—And whether that equipment now does not exist, in storage?

"Mr. SULLIVAN (to Mr. Murphy)—How much of that equipment is available?

"Mr. MURPHY—We have been installing two of those tanks on the old Pierce-Arrow trucks. We had six.

"Chairman PARKMAN—Where are the others?

"Mr. MURPHY—In the South End yard.

"Chairman PARKMAN—Not in use?

"Mr. MURPHY—No, sir.

"Chairman PARKMAN—In other words, it would not be necessary to purchase the equipment?"

"Mr. MURPHY—Well, we can install six tanks on the old Pierce-Arrow trucks, and use them in the suburban districts. I think the Finance Commission speak of that in their report.

"Coun. FITZGERALD—Under the Curley administration, how many trucks did you have?

"Mr. MURPHY—Six of these flushers.

"Coun. FITZGERALD—And how many from contractors?

"Mr. MURPHY—Oh, I don't know.

"Coun. FITZGERALD—Weren't there twenty-four trucks in the Curley administration, twelve from contractors and twelve of the city?

"Mr. MURPHY—No. There were six working days and six working nights. That would double up the apparent number."

I bring that fact out to show you gentlemen that trucks and equipment purchased under the last administration were used by the last administration and were junked by this administration. Now it is not my intention to allow the names of Lomasney or Curley to enter into any controversy in this Council Chamber, but I do say that, if Mr. Curley and Mr. Lomasney have any difference of opinion, we should allow them to settle it themselves. Mr. Curley has met Mr. Lomasney on different occasions, and Mr. Curley has sat in the Mayor's office despite Mr. Lomasney, and within two years, if he so desires, Mr. Curley will again sit in the Mayor's chair despite Mr. Lomasney. Gentlemen, the councilor from the West End, who has been in the political game for a long time, has made the assertion that I have "grown fat" and have "grown rich." Well, if I have put on fifteen or twenty pounds, I hardly think it is within the province of any councilor to criticize me. He accuses me of growing rich. Well, John, perhaps when I have served at the public crib the great number of years that you have, why, I may consider myself rich. It has been an old story in town that, when Coun. Fitzgerald rises to talk, the younger members who have just come in, should sit down, should be terribly scared of him; but, John, I want to assure you that nothing you can say, no bluff that you can throw, will ever scare Coun. Dowd. You remind me of the old saying by one of our most famous writers of the day: "He is like the lilies of the field and the birds of the air, who toil not, neither do they spin, yet are clad in fine raiment and feast upon the wealth of the land, so that Solomon in his glory would have been put to shame by his sartorial splendor." And yet, he does all that without any visible means of income or sustenance besides that which he receives from the public treasury. In closing, John, I would be rich if my motto was, "Say it with water," but, unfortunately, it is not. My motto is, "Say it with flowers."

Coun. GUILD—Mr. President, as I understand it, the motion before us is a blanket motion to substitute the Mayor's budget for the report of the Committee on Appropriations.

President HEFFERNAN—That is correct.

Coun. GUILD—And I should like to state that it would be much more pleasant to me, and I find by inquiry that it would probably be more pleasant to everyone else, if particular items could be taken up, because I find that some people are in favor of the report of the Appropriations Committee on some items and are in favor of the Mayor's budget on others. I am, therefore, opposed to the blanket motion. I find myself in that predicament. There are some items in the report of the Committee on Appropriations which I should like to see go through, and there are some items in the Mayor's budget which I should like to see go through.

Coun. DOWLING—Mr. President, the statement made by the last speaker suggests we are about ready for the battle, but I hope that, before the vote is taken, an opportunity will be given to the chairman of the Committee on Appropriations to offer what he has in rebuttal. I agree with every member of the Council that the work done by the Committee on Appropriations this year has been a splendid piece of work, and I know that Coun. Parkman must have something to offer in rebuttal, and I hope the opportunity will be given him.

Coun. PARKMAN—Mr. President, I am not afraid to have a vote taken on the substitution of the Mayor's budget. The last thing in the world

that I can imagine would be to have this body adopt such a motion. I have here in my hand the public statement of the Mayor in regard to the budget reductions recommended by the Committee on Appropriations. He states: "With the majority of these reductions I have no quarrel since they appear to be based on changes and savings which have developed and become evident since the compilation of my original budget." In the face of that statement, Mr. President, I defy any member of this body, and I include those who joined the parade to the Mayor's office on Saturday and again this morning, to vote for the Mayor's budget in its entirety, without reduction. Speaking on the committee's report, if all the ammunition of the opposition has already been fired, the committee report should have nothing to fear. Several of the councilors, a large number of them, seemed to have picked on the toweling. Let me read you the testimony in regard to toweling in the Park Department. Here is Item C-7, and I am quoting from the page which another councilor referred to:

"We should have an additional supply of towels—bought them cheap enough this year.

"Q. You have bought them already, you say? A. Contracted for them, yes, sir.

"Q. How much? A. Massachusetts State Reformatory.

"Q. How much? A. (To Mr. Byrne.) What does the bill for towels amount to?

"Mr. BYRNE. Between \$4,200 and \$4,300—70,000 yards.

"Q. According to your estimates here you expected to pay ten cents a yard for 70,000 yards? A. Well, it was cut down to about 6 or 7 cents.

Mr. President, the estimate of the Park Commissioner on which the allowance in the Mayor's budget was based was on a price of ten cents a yard for 70,000 yards, and when they came to get their bids, which came in later in the year, it was found that the price was between 6 and 7 cents a yard. Multiply 6 or 7 cents by 70,000 yards, and you have \$4,200 or \$4,300; multiplied by ten cents, you have a difference of \$2,700 or \$2,800, and the committee took out \$2,500 and left an additional \$200 over the amount that was required in the estimate of the Commissioner of the Park Department. In the face of that, I defy any member of this Council to vote against that reduction. On Item E-12 in the Park Department, of which one of the councilors spoke, a reduction of \$2,000 in material, on page 586 of the transcript of record, the following occurs:

"Q. You said here when you first submitted your estimate: 'We believe that we can get along with \$30,000 for the year 1927.' A. We made that remark?

"Q. Yes,—isn't that signature, 'William P. Long'? A. Yes, but I don't remember ever making such a remark as that, saying I could get along with \$30,000.

"Q. That is what it says here on page 17: 'We believe that we can get along with \$30,000 for the year 1927.'

"Mr. CARR—That was the original request. We don't dispute them on that.

"Chairman PARKMAN—Well, we don't dispute them on that statement, either.

"Mr. LONG.—Well, make it \$30,000.

"Chairman PARKMAN—Much obliged. It is the first free gift we have had around here for some time."

On Item B-42, for band concerts and music, of course, a city should have its band concerts. The question is, How many? We have allowed the same amount as last year, and I do not recall any serious question in regard to the music that was given in the parks last year. The councilor from Dorchester, evidently, did not attend the meetings, but I do recall he made some reference, at one time, in regard to street poles and lighting. The burden of his remarks, such of them as were serious, was in regard to street lights and street repairs. Mr. President, there is not one item in this proposed reduction by the Committee on Appropriations which affects street lights or street repairs. On the contrary, every dollar that this Committee on Appropriations saved is so much saved that can be used for other purposes. Every dollar that can be saved by the Committee on Appropriations can be used for street reconstructions, for example, and will save the city from the



unsound method of financing which, apparently, is contemplated in a prospective loan order. Other councilors spoke of the elimination of \$2,000 in Item A-2, Unassigned, in the Cemetery Division of the Park Department. If the committee will take the trouble to refer to the sheets which are before them showing the reductions which have been made, I will ask them to point out to me, if they can, where any such reduction appears. The reduction is not there, Mr. President, and it was all wasted breath to talk about it. In regard to the snow removal, as another member of the committee has stated, of course we are not prophets; of course we cannot say whether we shall have a December snowstorm; but all we do say is this,—that in five years out of thirty only has there been a snowfall over 5 inches in December, which is the figure that is agreed upon as the amount which requires snow to be removed. We have left in the item, as I stated in my opening remarks, \$25,000 in the Paving Service for temporary employees, for overtime work of the city employees, which the commissioner stated on the record would be used for snow removal if required; in other words, \$25,000 is left for snow removal by the city teams. The same provision was made in the Park Department. The amount of \$1,500 was left in the item for removal of snow by the hire of teams, and \$1,500 was left in the item for the hire of temporary employees and for overtime in the hire of labor and the removal of snow. Any amount necessary above that for the hire of outside teams and contractors is essentially an emergency, and emergencies may be provided for out of the Reserve Fund at a moment's notice. One of the councilors stated that there was no assurance that there would be any item from which money can be transferred. Mr. President, that is what the Reserve Fund is for. All the committee recommends to remove from the item for snow removal is \$10,000 in the Paving Service and \$2,500 in the Park Department. Those items simply represent the balance unspent after the winter's snowstorms. In regard to B-6, Sanitary, there again, of course, the city must be served; of course, the downtown district and the North and West Ends must have their garbage and ashes removed; but, with forty-five new snow removal trucks which are used on garbage and ashes in the outlying districts, releasing ninety single teams for the city service, is there any excuse whatever for continuing a contract for the hire of forty-one teams to remove the garbage and the ashes? The committee could see none whatever. The argument that was advanced was advanced by the yard foreman in the following language. I hope the Council will bear with me while I read the record.

"Chairman PARKMAN.—That is out of the question. The point at issue is simply whether the single teams cannot be released by the use of the large trucks so as to put single teams of the city down there in those narrow streets and alleys rather than teams of the contractor.

"Coun. FITZGERALD—I would like to ask a question of Mr. McNulty. For instance, if you want to use some of these teams tomorrow morning, and say twelve of your men don't show up, may get sick tonight or something of the sort, can't you call for the contractor's teams and be sure of getting them? And then don't you have to use them in connection with some of the city's men on the teams, in order to accomplish your work down there?

"Mr. McNULTY—I would like to explain the situation. The question has been asked why, if there are to be some trucks that would be available for the West End this summer, and we didn't have them last summer, we should have hired teams. On each Monday last summer I got six teams from East Boston to help me out; on each Thursday five teams from the South End, and three others, a total of eight, and on Friday, if necessary, I would get some teams from Charlestown and East Boston. I have arranged my work this year so that, with the four trucks I am able to use, and all the teams that we hire, we plan to do all the work of taking up the ashes each night without leaving a barrel out. The reason for hiring the teamsters on them is at times thirteen, fourteen, or sixteen men, city men, will not show up. But the contractor will send the teams right along with a teamster, and then we will send another man along, also."

If that is not a confession of weakness in the discipline and management of that department, Mr. President, I do not know what is. That is a question of the internal discipline of the department, and this Council should not be a party to any such arrangement as requires the use of outside teams in order to obtain reliability. On the question of street signs, the city has long been without a proper supply. Last year, the millennium had, apparently, arrived. An appropriation was made for \$25,000 as a first year program in a \$100,000 expenditure. Month after month went by, and when I sought for some knowledge on this item, because I was interested in it—I am interested in seeing that the streets are properly marked with signs—I thought it ought to be the subject of investigation during the year, in fact, I was ready during the past few months of the year to introduce an order into the Council for an investigation, but I held it up only because each time I was headed off, headed off. I was told that the contract was to be let—the bids were to be opened—specifications were to be drawn—the street sign work would proceed. December came along. The contract was let. It was found there were forty specifications. The contract was thrown out. This year, they came back and \$25,000 was held over by the auditor for use in putting up street signs. The item of \$25,000 again appears in the budget. Let me read you this:

"Chairman PARKMAN—As I understand it the first part of December. They just got the contracts in under the wire, and then there was something wrong.

"Mr. ATWOOD—The middle of December.

"Coun. McGRATH—Have you an accepted design for signs now?

"Mr. SULLIVAN—A design has been made up.

"Coun. McGRATH—I understand that they are to be different in the downtown streets from the streets in the suburban section.

"Chairman PARKMAN—Blue enamel, with white lettering.

Mr. SULLIVAN—Yes, what is called the New York sign.

"Mr. CARR—May I ask if the specifications have been revamped? I understand that under some of the specifications that were drawn up last year some of the signs would have been about 6 feet long.

"Mr. SULLIVAN—Yes, the thing is now in new shape.

"Chairman PARKMAN—How far along have you got on the matter? Have you let the contract?

"Mr. SULLIVAN—No, the bids are not opened.

"Chairman PARKMAN—You won't spend \$50,000 this year? Can you?

"Mr. SULLIVAN—I don't see myself how we can.

"Chairman PARKMAN—Let us take out \$25,000, and leave it as it was.

"Mr. SULLIVAN—Is \$50,000 in?"

He didn't even know that that \$50,000 was available for use on the signs.

"Chairman PARKMAN—I understand that there is \$50,000 available.

"Mr. SULLIVAN—Well, it is on an alternative proposition. Of course, if the prices are anywhere near reasonable, we will do more than we otherwise might.

"Chairman PARKMAN—Well, last year's experience wouldn't show it, would it?

"Mr. SULLIVAN—Not very well."

On that showing, Mr. President, we are asked to appropriate \$25,000. The money cannot be spent. After that hearing, I personally talked with the division engineer of that department and was informed that the money could not be spent. I believe, Mr. President, that the Committee on Appropriations has done an honest and conscientious job. No items have been cut that would result in any dangerous condition, or would result in the impairing of the service of the city in any degree. It is the first time in years, I am told, that the Committee on Appropriations of this Council has done a thorough job. If the Council fails to support the Committee on Appropriations, in my judgment, they are voting themselves out of the purpose for which they were elected to this body, and I cannot conceive how such a vote can be reconciled with their consciences or explained to their constituents.



Coun. GUILD—Mr. President, if it is in order—I inquire whether it is or not—I should like to substitute for the motion which is now before us a motion to restore the item which appears in the record on page 2 of the schedule of the appropriations committee—"Street Signs, \$25,000." I should like to substitute for the motion now before us a motion that that item of \$25,000 be allowed in accordance with the Mayor's budget.

President HEFFERNAN—The Chair will rule that the question first comes on the motion to substitute, and that any individual items can be restored in a motion afterwards, provided the first motion does not prevail.

The question came on substitution of the original budget submitted by the Mayor for the report of the committee, and the original budget was substituted for the committee report, yeas 13, nays 9.

Yeas—Coun. Arnold, Bush, Donovan, Englert, Fitzgerald, Freeley, Green, Keene, McMahon, Ruby, Ward, Wilson, Wragg—13.

Nays—Coun. Dowd, Dowling, Gilbody, Guild, Heffernan, Lynch, Mahoney, McGrath, Parkman—9.

President HEFFERNAN—The question now comes on the passage of the orders as submitted by the Mayor.

Coun. DOWD—Mr. President, I now move you, sir, that Item B-6, Sanitary Service, on page 34, be reduced from \$90,000 to \$27,000.

The roll was called and the motion was lost, yeas 8, nays 14:

Yeas—Coun. Dowd, Dowling, Gilbody, Heffernan, Lynch, Mahoney, McGrath, Parkman—8.

Nays—Coun. Arnold, Bush, Donovan, Englert, Fitzgerald, Freeley, Green, Guild, Keene, McMahon, Ruby, Ward, Wilson, Wragg—14.

Coun. DOWD—Mr. President, I move you, sir, that Item C-16, Health Department, page 17, Wearing Apparel, \$3,100, be stricken from the budget. And, Mr. President, in behalf of that motion I might say that that is an item to provide uniforms, and we would have to supply 105 nurses in the Health Department. This year is the first time in the history of the department that the Health Division has seen fit to uniform the nurses. A committee waited on the commissioner last Friday and informed him they did not object to wearing uniforms. But can any sane man tell me how you can equip 105 nurses for \$3,100? Commissioner Mahoney stated to the girls that the money was not sufficient to equip them—it would take at least \$10,000 or \$12,000. Well, if the \$3,100 is not enough to equip the girls, then I desire to know where the \$3,100 is going before I vote on that item. Commissioner Mahoney has made an engagement with a committee of the girls for next Friday afternoon to inspect their uniforms which the girls are going to present to him, but for which the girls cannot pay out of their salary of \$29.45 a week, and, for that reason, and for the reason that these girls do not engage in bedside nursing, I hardly see why it is necessary for them to wear uniforms when the same nurses in the School Department, receiving \$1,940 a year, are not compelled to wear uniforms.

Coun. McMAHON—Mr. President, on this particular item, for the last week or two I have had quite a few conversations with different nurses on this particular item. It is all right for us to vote it out, but, if the Health Commissioner puts an order out that they must wear the uniforms, these particular people will have to go out and buy the uniform out of their own pockets, and I feel, if this item of \$3,100 is left in there, it does not necessarily say that these people have to wear that uniform. The bone of contention is, Do we wear a uniform or don't we? And I say if we leave the item in there, the \$3,100, it is really up to the Commissioner of Health whether these young ladies wear the uniform or not, and I feel that that item of wearing apparel, \$3,100, should be left right there as it is. It is really up to the Health Commissioner whether those girls wear them or don't wear them.

Coun. GILBODY—Mr. President, I just want to say that putting a uniform on a nurse might put a poor family in any poor district in a bad light. It might put them in a light that the neighbors should not know about. A certain disease, for instance, tuberculosis, might be inflicted upon some member of a family in a neighborhood or corner street, and the moment that nurse goes down with that uniform on, gossip immediately starts. If she goes down in plain, ordinary civilian clothes, nobody has any inkling

that misfortune has visited any home, and I am going to vote against this item.

Coun. WARD—Mr. President, I move that on that order that \$100 be left in that item, because there is such a thing as rubber boots, etc., wearing apparel, that are necessary.

President HEFFERNAN—The question comes on the larger amount first, the motion made by Coun. Dowd.

The roll was called and the motion was lost, yeas 4, nays 18:

Yeas—Coun. Dowd, Dowling, Gilbody, Ward—4.

Nays—Coun. Arnold, Bush, Donovan, Englert, Fitzgerald, Freeley, Green, Guild, Heffernan, Keene, Lynch, Mahoney, McGrath, McMahon, Parkman, Ruby, Wilson, Wragg—18.

The question then came on the passage of the budget as submitted by the Mayor and the roll was called. The budget was passed, yeas 17, nays 5:

Yeas—Coun. Arnold, Bush, Donovan, Dowd, Englert, Fitzgerald, Freeley, Green, Guild, Heffernan, Lynch, Mahoney, McMahon, Ruby, Ward, Wilson, Wragg—17.

Nays—Coun. Dowling, Gilbody, Heffernan, McGrath, Parkman—5.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted report, as follows:

1. Reports on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.: Mrs. Katherine Danahy, Practical Arts High School, May 17; Anthony Mieczewski, Symphony Hall, June 5; Cecile A. Mara, Jordan Hall, May 26; Mary West, Roxbury Ladies' Club, May 20; Grace M. Marden, Howard Temple, June 2; Ruth M. McShane, Municipal Building, South Boston, May 20; Orin F. Gallagher, Mechanics Hall, May 25—that leave be granted.

Report accepted; said permits granted under usual conditions.

#### SOLDIERS' RELIEF.

Coun. ENGLERT, for the Committee on Soldiers' Relief, submitted report recommending passage of order for payment or aid to soldiers and sailors and their families in the City of Boston for the month of May.

Report accepted; said order passed.

#### CLEANING OF CATCH-BASINS, WARD 10.

Coun. FREELEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through His Honor the Mayor, to have cleaned all catch-basins in Ward 10. Passed under suspension of the rule.

#### ACCEPTANCE OF STREETS, WARD 16.

Coun. GILBODY offered the following:

Ordered, That his Honor the Mayor request the Street Commissioners to lay out and accept as public highways Redwood, Althea, Clematis and Laford streets, Ward 16, Dorchester.

Passed under suspension of the rule.

#### SIDEWALK ON PAXTON STREET, DORCHESTER.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 10 Paxton street, Dorchester, Ward 14, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

SIDEWALK ON HARVARD STREET,  
DORCHESTER.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 356, 360, 364, 368 Harvard street, Dorchester, Ward 14, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

## ROOM FOR BABY CLINIC.

Coun. McMAHON offered the following:

Ordered, That the Superintendent of Public

Buildings be requested, through his Honor the Mayor, to assign for the use of the Baby Clinic and the district nurses, in the old Dorchester Courthouse, Arcadia street, Ward 15, the room formerly occupied by the judges, and the adjoining room, which have an entrance separate and entirely apart from the entrance to the branch library.

Passed under suspension of the rule.

## GENERAL RECONSIDERATION.

Coun. RUBY moved a general reconsideration of all business transacted at the meeting. Lost.

Adjourned, on motion of Coun. ARNOLD, at 5.25 p. m., to meet on Monday, May 23, at 2 p. m.





## CITY OF BOSTON.

## Proceedings of City Council.

Monday, May 23, 1927.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at 2 p. m., President HEFFERNAN in the chair and all the members present.

## PARKING ON WEST NEWTON STREET.

The following was received:

City of Boston,  
Office of the Mayor, May 18, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communication from the Street Laying-Out Department in reply to your order of April 7, 1927, in relation to records on the use of any part of West Newton street for parking purposes.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Boston, April 7, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Replying to the order of the City Council relating to the use of any part of West Newton street by private individuals for parking purposes.

The following papers are of record in this office relating to this matter:

1. An order of the Board dated April 17, 1922, making the said place "a parking space for automobiles."

2. An order of the Board dated May 3, 1923, for the same purpose and marked "Renewal."

3. An order of the Board dated February 4, 1924, rescinding former orders establishing "a parking space for automobiles."

Please find inclosed copies of orders of record as recited above.

Respectfully,  
For the Board of Street Commissioners,  
THOMAS J. HURLEY, Chairman.

[COPY.]

City of Boston,  
In Board of Street Commissioners,  
April 17, 1922.

Ordered, That the part of West Newton street, city proper, abutting the property of the Massachusetts Charitable Mechanics Association (Mechanics Building), for an average distance of 100 feet southeasterly of the Boston & Albany Railroad yard, be and the same is hereby established as a parking space for automobiles, the parking of vehicles to be under the control and direction of William T. Kenney, 1054 Washington street, city.

Attest:  
JOSEPH F. SULLIVAN, Secretary.

[COPY.]

City of Boston,  
In Board of Street Commissioners,  
May 3, 1923.

(Renewal.)

Ordered, That the part of West Newton street, city proper, abutting the property of the Massachusetts Charitable Mechanics Association (Mechanics Building), for an average distance of 100 feet southeasterly of the Boston & Albany Railroad yard, be and the same is hereby established as a parking space for automobiles, the parking of vehicles to be under the control and direction of William T. Kenney, 1054 Washington street, city.

Attest:  
JOSEPH F. SULLIVAN, Secretary,

[COPY.]

City of Boston,  
In Board of Street Commissioners,  
February 4, 1924.

Voted, That the order of the Board of Street Commissioners establishing that part of West Newton street, city proper, abutting the property of the Massachusetts Charitable Mechanics Association (Mechanics Building), for an average distance of 100 feet southeasterly of the Boston & Albany Railroad yard, as a parking space for automobiles, the parking of vehicles to be under the control and direction of William T. Kenney, 1054 Washington street, be and the same hereby is rescinded.

Attest:

JOSEPH F. SULLIVAN, Secretary.  
Placed on file.

## EXECUTIVE APPOINTMENTS.

The following communications were received from the Mayor making the following appointments:

Constables: Arthur Glass, 18 Warner street, Dorchester, Mass.; Carl F. White, 97 Pinckney street, Ward 5, Boston; Harry Butters, 1179 Boylston street, Ward 5, Boston; Peter C. Foy, 41 Roxbury street, Ward 9, Boston.

Weigher of Goods: John J. Mahoney, 156 O street, South Boston; Philip A. Dormin, 112 St. Botolph street.

Severally laid over to the next meeting, under the rule.

## PETITIONS REFERRED.

The following petitions were received and referred to the committees named:

Claims.

Dr. Harry Braverman, for compensation for damage to automobile by city cart.

William H. Curley, for compensation for damage to automobile caused by an alleged defect at 101 Templeton street, Dorchester.

F. C. Hutchings, for compensation for injuries caused by an alleged defect at 573 Washington street.

Norma Kaston, for refund on victualler's license.

Nathan Kirshen, for refund on victualler's license.

Thomas and Helen Kyrou, for compensation for injuries caused by being struck by city truck.

Loretta Lawless, for compensation for injuries caused by an alleged defect at 50 Causeway street.

Hyman M. Lendman, for compensation for injuries caused by fire apparatus.

Charles F. Mahoney, for compensation for loss of clothing at City Hospital.

Marie R. Mowery, for compensation for damage to automobile caused by an alleged defect in Walk Hill street.

David J. Segal, for compensation for damage to automobile caused by an alleged defect in Morton street, Dorchester.

Annie M. F. Sherman, for compensation for injuries caused by an alleged defect in Stuart street.

Benjamin Solomon, for compensation for injuries and damage to property, caused by an alleged defect at 153 Warren street, Brighton.

Anthony F. Spinelli, for return of fee paid for garage license at 40 Danube street, Dorchester.

Joseph T. Wagner, for compensation for damage to automobile caused by an alleged defect in Washington street, Brighton.

Annie Warner, for compensation for injuries caused by an alleged defect at 9 Downing street, Roxbury.

James A. Watson, for compensation for damage to automobile caused by an alleged defect at 231 Tremont street.

Arthur Weil, for compensation for damage to automobile caused by an alleged defect at 181 Washington street, Dorchester.

Mary L. Patterson, for compensation for

injuries and damage to clothing caused by an alleged defect at corner of Rosclair and Mt. Vernon streets and Dorchester avenue.

#### Executive.

Marion Hennessy, for children to appear at Jordan Hall on May 25, 1927.

Mrs. Percy R. Crowell, for children to appear May 24, 1927, at Repertory Theater, pageant and entertainment.

Florence Stevenson, for children to appear at Recital Hall, June 23, 1927.

J. J. Richards, for children to appear at Richards Hall on June 10, 1927.

Alice McIntire, in favor of North Station bus line.

#### APPROVAL OF APPOINTMENTS.

Certificates were received of approval by the Civil Service Commission of the following appointments by the Mayor, viz.:

Overseers of Public Welfare: Morris Bronstein, Sophie M. Friedman and James J. Moynihan.

Board of Appeal: John D. Marks, 44 Quint avenue, Allston.

Transit Commissioners: James B. Noyes, 186 Bay State road, Boston; Nathan A. Heller, 41 Howland street, Roxbury, and Thomas F. Sullivan, 1736 Columbia road, South Boston.

Severally placed on file.

#### STREET TRAFFIC REGULATIONS.

A revision of the Street Traffic Regulations adopted by the Board of Street Commissioners and filed with the City Clerk May 23, 1927, was received and placed on file.

#### PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds was received, from April 18 to May 14, 1927, inclusive, amounting to \$8,506.14.

Approved and ordered paid.

#### STORAGE AND SALE OF GASOLINE.

Notice was received from the Street Laying-Out Department of the Board of Street Commissioners of hearings on Monday, June 6, 1927, on the following petitions for the storage and sale of gasoline:

Georgiana Cavanaugh, 3826 Washington street, Ward 19, 1,000 gallons.

City of Boston Fire Department, Broadway-Warrenton, Ward 3, 1,000 gallons.

James H. Clinton, 500 Hyde Park avenue, Ward 18, 1,000 gallons.

John F. Coleman, 50 Old Colony Parkway, Ward 16, 5,000 gallons.

Nathaniel Dane, 991 Washington street, Ward 3, 2,000 gallons.

Jenney Manufacturing Company, 800-804 Adams street, Ward 16, 1,000 gallons.

Herbert L. Lawrence, 3992 Washington street, Ward 19, 1,000 gallons.

#### CONSTABLES' BONDS.

The bonds of the following named constables, having been duly approved by the City Treasurer, were received and approved by the City Council, viz.:

Alcek Berg, Carl Birger Berg, James L. Brooks, Joseph P. Cutter, Louis L. Dubrow, Louis Ebb, Edmund C. Grady, Salvatore Maffei, Bernard H. Magee and Francis J. Tobin.

#### ARC LIGHTS IN HYDE PARK.

Coun. WRAGG offered an order—That the Commissioner of Public Works be requested to install five additional arc lights on Hyde

Park avenue, between Pine street and Everett street, Ward 18, at locations on plan submitted to Public Works Department.

Passed under suspension of the rule.

#### WORK ON HOLLINGSWORTH STREET, WARD 18.

Coun. WRAGG offered an order—That the Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Hollingsworth street, Ward 18, between Randolph road and Caton street, as a public highway, a distance of approximately 222 feet, which will complete Hollingsworth street, now under construction.

The order was passed under suspension of the rule.

#### ADVERTISING TRAFFIC REGULATIONS.

Coun. KEENE offered the following:

Ordered, That the expense incurred by the City Clerk, for the advertising of the Revised Traffic Regulations, be charged to the Reserve Fund.

Passed under suspension of the rule.

#### ARC LIGHT ON ANAWAN AVENUE.

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of an arc light at the corner of Anawan avenue and Allenwood street, West Roxbury.

Passed under suspension of the rule.

#### EDITION OF BOSTON YEAR BOOK.

Coun. KEENE offered the following:

Ordered, That the Superintendent of Printing be hereby authorized to print an edition of 1,750 copies, bound in cloth, of "Boston Year Book for 1926 and 1927," and that the expense of the same be charged to the appropriation for city documents.

Further Ordered, That this edition shall be distributed under the direction of the Statistics Department, and that any income received through such distribution be credited to the appropriation mentioned above.

Referred to the Executive Committee.

#### SMOOTH PAVING FOR BLUE HILL AVENUE.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Blue Hill avenue from Columbia road to Canterbury street, Ward 14.

Passed under suspension of the rule.

#### BUS LINE FROM COOLIDGE CORNER.

Coun. WILSON offered the following:

Ordered, That the Jitney Committee of the City Council be requested to report forthwith as to the advisability of revoking the permit of the Boston Elevated Railway Company to operate a jitney bus line from Coolidge Corner, Brookline, along Beacon street, to School street, to Washington street, to State street, to Bowdoin square, to Cambridge street, to Charles street, and thence returning by Beacon street,—so far as said route is within the Boston city limits.

Coun. WILSON—Mr. President, on the 18th of April I introduced an order in this Coun-

cil asking the Jitney Committee to investigate and report with reference to a proposition by the Boston Elevated Street Railway Company to run a so-called de luxe line of jitney buses from Coolidge Corner into the downtown district of the City of Boston, charging a 25-cent fare. We have heard no report from the Jitney Committee to date, but I understand, commencing last Monday, the Elevated Railway commenced running this de luxe line with a 25-cent fare in face of the flat denial by last year's Jitney Committee, disallowing the requested permit to do this very thing. I said a month ago, and I repeat today, that if the Elevated treasury is sufficiently full to be able to furnish this equipment, the place to spend the money is in the outlying districts, lying three times the distance from the center of Boston than Brookline lies, geographically, and it certainly appears to me that the people of the Coolidge Corner district, living within ten or fifteen minutes of the Kenmore Station, have no especial need for de luxe buses, that their transportation needs are certainly much less than those of the people in the outlying districts of the City of Boston. I fail to follow the argument that the introduction of these de luxe buses will eliminate a large number of limousines and privately owned automobiles from the streets of the City of Boston, although I appreciate what a terrific blow it will be if the day ever comes when not only de luxe buses but limousines and other privately owned automobiles shall be barred from our downtown streets, and the people of Brookline, comprising many leading stockholders in the Boston Elevated Company, will actually have to ride on an ordinary car from Kenmore Station to the Park Street station. I raise a further point, and it is this. I feel that the initiation of this 25-cent fare for the short distance from Coolidge Corner to downtown Boston is only an entering wedge for a general increase of fares when the jitney business reaches the point which it probably will reach in the course of the next two years or so. I fear that we will then find, for instance in connection with our new rapid transit system, the Shawmut Branch, that the people of the Mattapan district will have to pay a 10-cent fare to ride in a bus to Peabody square and another 10-cent fare from Peabody square into the South Station. Therefore, it seems to me that this move of the Elevated Railway, which may very likely be simply an entering wedge, introducing these buses with a 25-cent fare, will be nipped in the bud, particularly in view of the fact that it has been done absolutely contrary to the action of last year's Jitney Committee.

The order was passed under suspension of the rule.

#### DE LUXE BUSES FROM BROOKLINE.

Coun. WILSON offered the following:

Ordered, That the Jitney Committee of the City Council investigate forthwith and advise the Council with reference to a persistent report that the Boston Elevated Railway, commencing Monday, May 16, 1927, is operating de luxe buses from Brookline into the business district of the City of Boston and charging a 25-cent fare therefor.

Passed under suspension of the rule.

#### SLAG BLOCK FLOOR CONSTRUCTION QUESTIONS.

Coun. WILSON offered the following:

Ordered, That the Schoolhouse Department, through his Honor the Mayor, be requested to advise the City Council forthwith whether the slag block system of floor construction in the three new schoolhouses of our city is a violation of the building code of the City of Boston.

Coun. WILSON—Mr. President, last week in Roxbury there was a serious accident, due I believe to the collapse of some of the floors in a Roxbury building, and some people were seriously injured in the building, which presumably complied with the building law requirements of the City of Boston. Yet, if I am correctly informed, there is now being installed in three new schoolhouses of the City of Boston flooring, with a slag block system, which will not pass even the building law requirements. I understand that in certain quarters the statement has been made, so far as returning any answer to my inquiry is concerned, that "Wilson can chafe himself." My only reply is that the chafing in reference to the floors of these new schoolhouses, so far as I am concerned, will not be in a circle, and it won't be away. I feel very strongly that the flooring of the schoolhouses of the City of Boston is a question for the contractor, the architect, and the builder, and not for the advertising man or the florist.

The order was passed under suspension of the rule.

#### SMOOTH PAVING FOR F STREET.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving F street, from First street to Eighth street, Ward 6.

Passed under suspension of the rule.

#### LEASE TO THOMAS J. FITZGERALD POST.

Coun. MAHONEY offered the following:

Ordered, That his Honor the Mayor be and he hereby is authorized in the name and behalf of the City of Boston, and in form satisfactory to the Law Department, to execute a lease to Thomas J. Fitzgerald Post 561, Veterans of Foreign Wars of the United States, of the room in the Municipal Building, South Boston, formerly occupied by the American Red Cross, for a term of one year beginning June 1, 1927, at a rental of \$1 per annum.

Referred to the Committee on Public Lands.

#### PAYMENT TO MRS. DANIEL T. MCINNNESS.

Coun. GREEN offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of Daniel T. McInness, late member of the Fire Department, who died from injuries received in the performance of his duty, said annuity to continue so long as said widow remains unmarried and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Referred to the Executive Committee.

#### SMOOTH PAVING FOR SHERMAN STREET.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Sherman street, Ward 12.

Passed under suspension of the rule.

#### AMOUNT FOR NURSES' UNIFORMS, HEALTH DEPARTMENT.

Coun. DOWD offered the following:

Ordered, That the Health Commissioner be requested, through his Honor the Mayor,



to advise the City Council of how the \$3,100 appropriated in the budget for uniforms for nurses will be spent.

Coun. DOWD—Mr. President, some time ago, during the hearings before the Appropriations Committee, Commissioner Mahoney of the Health Department appeared and informed us that it was his desire to have the nurses uniformed, because of the fact that they wore fur coats and other coats belonging to themselves and went in town shopping when they should have been on business of the City of Boston. Last week the Council passed an item of \$3,100 for that department, the purpose of which was to provide such uniforms, but I understand that last Friday Commissioner Mahoney met the nurses at the North End and informed them that they would have to buy their own uniforms, because of the fact that they were given a raise of \$100 this year. I want to point out the fact that this is the first time in three years that the nurses have been given a raise of this sort, and we now find the commissioner telling them that they must buy their own uniforms. I think it is hardly fair to ask a group of one hundred and five nurses making only \$1,600 to \$1,700 to spend approximately \$65 to \$75 for their nurses' uniforms, especially after this Council has given the Commissioner \$3,100 to purchase the same. If that money is not sufficient, I believe there should be an order introduced here by his Honor the Mayor to give a larger sum, and there can be no doubt that the Council would pass the order providing the necessary sum. The nurses in the School Department, Mr. President, get \$1,940 a year and all uniforms provided. Why should these nurses be expected to buy summer and winter uniforms, especially after Commissioner Mahoney told the Committee on Appropriations, and it is on record, that he desired this sum in order to provide uniforms for the nurses,—although five days after he gets the money he tells those girls that they must purchase their own uniforms?

Coun. McMAHON—Mr. President, referring to the councilor's order, I think it would have been a good thing to invite the commissioner down here this afternoon in executive session, so that we might get the whole story on the uniform. I would move, therefore, that Commissioner Mahoney be invited to come before us in executive committee in regard to the matter.

The order was referred to the Executive Committee, and it was understood that Commissioner Mahoney would be invited to appear before the committee at its session today.

#### SEMI-WEEKLY REFUSE COLLECTIONS.

Coun. DOWD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to advise the City Council if it is possible to make semi-weekly collections of ashes and garbage throughout the city.

Coun. DOWD—Mr. President, I think there is hardly anything more important to the taxpayers of the City of Boston than to have their garbage and ashes removed as quickly as possible. During the hearings before the Committee on Appropriations Mr. Sullivan admitted that there were sections—Brighton and the Back Bay—where the garbage was removed twice a week. We are spending here in Boston over a million and a half dollars combating, through our Health and other departments, disease in the congested districts, and still under the very windows of our citizens garbage and ashes are allowed to remain for two, three and four weeks. Certainly if garbage and ashes can be removed from Brighton and the Back Bay on an average of twice a week, according to Mr. Sullivan, there would seem to be no reason why in East Boston, South Boston, Charlestown, Roxbury

and Dorchester the situation cannot be properly taken care of in the same way.

The order was passed under suspension of the rule.

#### EDITION OF THE MUNICIPAL REGISTER FOR 1927.

Coun. LYNCH offered the following:

Ordered, That the Statistics Department be authorized, under the direction of the Committee on Rules, to prepare and have printed the Municipal Register for the current year, including therein a map of the city with ward lines, and that the Clerk of Committees be authorized to prepare and have printed a pocket edition of the organization of the city government, the expense of said register and organization to be charged to the appropriation for City Documents.

Passed under suspension of the rule.

#### MARKING THROUGH AUTOMOBILE ROUTES.

Coun. FREELEY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to mark plainly at appropriate points all through automobile routes passing through the City of Boston.

Coun. FREELEY—Mr. President, in these days when traffic congestion is one of the most pressing problems confronting municipal authorities, many automobiles can be diverted from the narrow downtown streets by the proper marking of the through routes. In Worcester a few signs properly placed takes Springfield and New York traffic along a side street and out of the congested center. Throughout Rhode Island and Connecticut through traffic is thus routed by the use of signs. This plan not only relieves the downtown streets but keeps traffic moving and avoids delays. I move a suspension of the rule and passage of the order.

#### INCREASE OF FEES FOR INTELLIGENCE OFFICES.

Coun. FREELEY offered the following:

Ordered, That the Licensing Board be requested, through his Honor the Mayor, to increase the fee charged for intelligence offices of the second class from \$35 to \$350, and of the first class from \$75 to \$750.

Coun. FREELEY—Mr. President, by licensing intelligence offices, or employment bureaus as they are better known, the City of Boston allows its citizens to be charged exorbitant rates for the privilege of getting a job. These agencies prey upon the unfortunate and the needy. Those who are skilled and expert in any line do not need the services of the agencies. A girl in my neighborhood secured, through a licensed employment bureau, a temporary position addressing envelopes; she received \$7 for this work and out of this tiny amount she was compelled to pay the bureau \$1.75, or 25 per cent of her wages. Compared with agencies who charge this rate, Shylock was a charitable institution; \$35 and \$75 is too small a rate to charge these leeches for the right to prey upon our wage earners. Let us put up their license fees, and either drive them out of business or contribute more of their ill-gotten gains to the public treasury. We have in Pemberton square a free employment bureau, paid for by the taxpayers and maintained by the city, manned by competent, trained employees, and well capable of caring for the unemployed, but handicapped by the advertising of the private agencies conducted for profit. There are 300 of these in the city. Many concerns who hire large numbers apparently are not aware that the city maintains this free employment bureau. The pay roll of our municipal bureau is \$375 weekly; there are

seven telephones available for this work. I move a suspension of the rule and passage of the order.

Coun. GUILD—Mr. President, I rise for information before voting on this order. I want to know to whom the fees to which the councilor has referred are now payable, and when they are payable?

Coun. FREELEY—Mr. President, I did not get the question.

Coun. GUILD—The councilor in his remarks referred to certain fees paid by these agencies, and my question is, to whom are they payable, and at what time are they payable?

Coun. FREELEY—In answer to the councilor's question, Mr. President, I might state that I have never been unfortunate enough to apply to one of these agencies. To the best of my knowledge, however, from hearing different people speak about them, they tell me that the employment agencies are run on the installment plan. If a job lasts for seven weeks, the person getting it is compelled to give the first week's pay back to the employment agency.

Coun. GUILD—Mr. President, I think the councilor misunderstands my question. I am not referring to the fee paid by the individual who gets the job at the office, but to the license fee that is paid to somebody, allowing the concern to operate as an employment agency. Are such fees paid to the city, the county or the state, and when are they now payable?

Coun. FREELEY—There are two classes of agencies, those dealing with skilled and with unskilled labor, and they receive their licenses from the Licensing Board. The license fees are payable every year.

Coun. GUILD—Mr. President, if these fees are paid into the city treasury of Boston it seems to me this is a matter that should be referred along with the other matters which were taken up on an order of Councilor Parkman two or three weeks ago, to the special committee for study and revision of all license fees now collected by the City of Boston, rather than interfering with the work of whatever commission or committee was appointed under Councilor Parkman's order. I should prefer to see this matter referred along with the question of the other fees to that committee or commission. It would seem to me improper for the Council to suspend the rule and pass the order, when work concerning different fees that are paid is being done under another order that has already been passed.

President HEFFERNAN—Do I understand the councilor to make a motion that this be referred to a committee?

Coun. GUILD—Mr. President, I move that the order in its present form be referred to the Executive Committee for further discussion.

The motion was carried and the order was referred to the Executive Committee.

#### LOAN FOR BATHING BEACH, EAST BOSTON.

Coun. DONOVAN offered the following:

Ordered, That the sum of one hundred and fifty thousand dollars be and hereby is appropriated, to be expended under the direction of the Park Commission, for the establishment of a bathing beach in the Fourth Section of the East Boston district, and that to meet such expense the City Treasurer be authorized to issue from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

#### CLEANING AND REPAIRING BRIGHTON HIGHWAYS.

Coun. DOWLING offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to assign to the Brighton Paving Division a sufficient number of men to enable the district foreman to carry on the usual cleaning and repairs to highways.

Coun. DOWLING—Mr. President, in the Brighton district a force of about thirty-five men are now doing to the best of their ability what a force of 125 men used to do when our genial clerk was Superintendent of Streets in this city. The force has been greatly reduced, and the men are largely employed in an asphalt plant which supplies other parts of the city with materials necessary for street repairs in the different districts. As a result of such employment the district foreman in Brighton has practically no men for street work in Wards 21 and 22, in which you and I, Mr. President, are vitally interested. I hope the order will pass and that the request will be complied with.

The order was passed under suspension of the rule.

#### RECESS.

On motion of Coun. MAHONEY the Council voted at 2.33 p. m. to take a recess, subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President HEFFERNAN at 3.52 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following:

(1) Reports on petitions, referred today, for children to appear at public places of amusement, recommending that leave be granted, as follows:

Marion Hennessy, Jordan Hall, May 25, 1927; Mrs. Percy R. Crowell, May 24, Repertory Theater, pageant and entertainment; Florence Stevenson, Recital Hall, June 23, 1927; J. J. Richards, Richards Hall, June 10, 1927.

Reports accepted; leave granted on the usual conditions.

(2) Report on petition of Alice McIntire (referred today) in favor of North Station bus line,—recommending reference to the Committee on jitney licenses.

Report accepted; petition referred to the Committee on jitney licenses.

(3) Report on order (referred today) authorizing the Superintendent of Printing to print an edition of 1,750 copies, bound in cloth, of "Boston Year Book for 1926 and 1927," etc.—that the same ought to pass.

Coun. KEENE—Mr. President, I move that the order as reported by the committee be amended, and that the number of Year Books be increased to 2,500. It seems to me that a Council of twenty-two members should have at least as many copies as were had by members of the former smaller Council. Therefore, I would move that amendment.

The amendment, striking out 1,750 copies and inserting in place thereof 2,500 copies, was adopted, the report was accepted, and the order as amended was passed.

4. Report on the order (referred today) requesting the Licensing Board, through his Honor the Mayor, to increase the fee charged for intelligence offices of the second class from \$35 to \$350, and of the first class from \$75 to \$750,—recommending the passage of the order in the accompanying new draft:

Ordered, That the Budget Commissioner be requested, through his Honor the Mayor, to consider increasing the fee charged for intelligence offices of the first and second class.

Report accepted; said order passed.

#### INCREASE OF BUDGET COMMISSIONER'S SALARY.

Coun. DOWLING, for the Committee on Ordinances, submitted a report on ordinance (referred April 18) amending section 5 of chapter 3 of the Revised Ordinances of 1925, in the clause establishing the salary of the Budget Commissioner, by striking out the words "six thousand" and inserting in place thereof the words "sixty-five hundred"—that the same ought to pass.

Report accepted; said order passed.



## PAVING OF WEST CANTON STREET.

Coun. RUBY, for Coun. Ward, offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement West Canton street, Ward 9, from Washington to Tremont street and West Springfield street, Ward 9, from Tremont street to Columbus avenue.

Passed under suspension of the rule.

## BATTLESHIP FOR LINDBERGH'S RETURN.

Coun. WARD offered the following:

Ordered, That his Honor the Mayor be requested to ask the President of the United States to send a battleship of the United States Navy to France for the purpose of bringing Captain Charles A. Lindbergh back to the United States.

Coun. DOWD—Mr. President, while I realize the feeling in this body against memorializing other legislative bodies or the President of the United States, at the same time I think the City of Boston should go on record in a matter on an occasion of this kind. It is not necessary for any member to speak of the great feat that has been accomplished by the youthful Captain Lindbergh, and I believe if other cities follow the same course in this matter that I hope we will now follow in Boston, it will help impress on the mind of the President of the United States the importance of sending officially to the shores of France a battleship in order to conduct Captain Lindbergh back to the United States. Therefore I ask the suspension of the rule and the passage of the order.

The order was passed under suspension of the rule.

## SIDEWALK ON LA GRANGE STREET, WARD 20.

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along La Grange street, from Centre street to Vermont street, both sides, Ward 20, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width and to be built of artificial stone with granite edge-stones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

## CONFIRMATION OF WEIGHERS.

President HEFFERNAN called up, under unfinished business, Nos. 1 and 2 on the calendar, viz.:

1. Action on appointments submitted by the Mayor May 16, 1927, of Fred W. Thielscher, William F. Maguire and J. E. Lahey, to be Weighers of Coal, and Alex F. Morgan and Donald G. Morse, to be Weighers of Goods.

2. Action on appointments submitted by the Mayor May 9, 1927, of F. S. Hopkins, to be a Weigher of Goods, and Albert E. Robertson, to be a Weigher of Coal and a Weigher of Goods.

The question came on confirmation. Committee, Coun. McMahon and Englert. Whole number of ballots, 16; yeas 16, and the appointments were confirmed.

## CONFIRMATION OF CONSTABLES.

Coun. GILBODY—Mr. President, pursuing a new policy, on behalf of the Executive Committee, I will now call up under unfinished business, Nos. 3, 4 and 5 on the calendar, with the exception of the names of Allen Libby, Nathan Mazur and Frederick DeCicco. The only reason that these names are held up is because they failed to appear before the Executive Committee this afternoon for examination.

The numbers referred to are as follows:

3. Action on appointments submitted by the Mayor April 25, 1927, of the following named to be constables—William A. Iannone, Caetano Lopez, James S. Duval, Max Wortsman, Allen Libby, Nathan Mazur and Alexander Goodman.

4. Action on appointments submitted by the Mayor May 2, 1927, of Leslie P. Mann, Albert J. Homsy and James H. Waugh to be constables.

5. Action on appointments submitted by the Mayor May 16, 1927, of John A. Nestor, Thomas J. McElaney, Frederick DeCicco, and George R. Alcott to be Constables.

The question came on confirmation. Committee—Coun. Mahoney and Ruby.

The appointments (with the exception of the names of Allen Libby, Nathan Mazur and Frederick DeCicco) were confirmed, yeas 16, nays 0.

## RECESS TAKEN.

On motion of Coun. GILBODY, the Council at 4 p. m. took a recess, subject to the call of the Chair, so that Health Commissioner Mahoney might be called into conference in regard to the item appropriated for nurses' uniforms.

The members reassembled in the Council Chamber at 4.03 p. m. and were called to order by President HEFFERNAN.

## COMMITTEE TO CONFER WITH DOCTOR MAHONEY.

Coun. DOWD—Mr. President, I move that a committee of three be appointed to confer with Doctor Mahoney in regard to the \$3,100 passed by the Council last week for nurses' uniforms, and ask him to buy the uniforms for the nurses out of said appropriation, and that the committee, if necessary, be also authorized to wait upon his Honor the Mayor in order to enforce our demands.

Coun. GUILD—Mr. President, speaking to that motion, it seems to me that we should, before authorizing such a committee of three to take any steps such as are proposed, have the committee report back to the Executive Committee or the City Council what they have found the situation to be with respect to these uniforms. The suggestion was made in the Executive Committee room that there was possibly some legal objection to having the money spent for those uniforms, in which case it would be futile for the committee to make recommendations to the Mayor's office. In the absence of knowledge as to what the situation is, because of our inability to confer with Doctor Mahoney this afternoon, I am loath to authorize the committee to do more than report back to the City Council what they find the situation to be.

President HEFFERNAN—Coun. Dowd moves that a committee of three be appointed to wait on Health Commissioner Mahoney and find out why the \$3,100 provided in the budget is not to be used to furnish uniforms for the nurses, and then to wait on his Honor the Mayor and find out, if the reason is that the amount appropriated is not sufficient, whether more money can be provided for the purpose.

Coun. Dowd's motion was carried and President HEFFERNAN appointed Coun. Dowd, McMahon and Guild as said committee.

## COMMITTEE ON INCINERATORS.

President HEFFERNAN appointed as the Special Committee on Incinerators, under the order passed May 9, Coun. Lynch, Wilson, Gilbody, Dowling and McGrath.

## GENERAL RECONSIDERATION.

On motion of Coun. ARNOLD, a general reconsideration of all action taken today was refused.

Adjourned at 4.05 p. m., on motion of Coun. BUSH, to meet on Monday, June 6, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Tuesday, May 31, 1927.

Special meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President HEFFERNAN in the chair. Absent, Coun. McMahon.

The meeting was held pursuant to the following call:

City of Boston,

Office of the Mayor, May 27, 1927.

To the Members of the City Council.

Gentlemen,—You are hereby requested to assemble in the City Council Chamber, City Hall, on Tuesday, May 31, 1927, at 2 p. m., for the purpose of taking action on a proposed loan for repairing and reconstructing streets by contract.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

The call was placed on file.

## STREET LOAN OF \$500,000.

The following was received:

City of Boston,

Office of the Mayor, May 28, 1927.

To the City Council.

Gentlemen,—I transmit to you herewith a loan order in the sum of \$500,000 for permanent pavement. This loan is required by reason of a tax limit lower than the one petitioned for the Mayor. This lower tax limit caused a serious reduction in the item for reconstructing and repairing of streets by contract.

The policy contained in the budget was to provide for the raising of all sums for permanent paving in the tax levy of the current year. I believe it preferable to reconstruct and repair streets from the tax levy although most of the large cities throughout the country follow consistently the policy of borrowing money for this purpose because of the permanent nature of the work and its identity with capital expenditure.

The only sum available for the comprehensive street program laid out by the Commissioner of Public Works for the year 1927 amounts to \$250,000 provided in the budget.

The additional sum of \$500,000 proposed in the loan will permit the city to undertake work of extreme necessity. This work includes such streets as Boylston, from Exeter across Berkeley, and from Park square to Tremont street; Columbus avenue, from Northampton to Dartmouth street; Stuart street, from Huntington avenue to Dartmouth street; Beacon street, from Massachusetts avenue to Raleigh street; Washington street, from Massachusetts avenue to Dover street. A street in South Boston; North Harvard street, from Charles river to Cambridge street; Brookline avenue, from Audubon road to the Brookline line, and Longwood avenue, from Brookline avenue to the Parkway. These streets are cited because they are heavily traveled traffic highways whose surfacing demands immediate renewal.

The importance of smooth streets to the transaction of business in a great city can hardly be over estimated. Some of our principal thoroughfares have not been repaved for a period of eighteen to twenty years during which time street traffic has quadrupled in volume.

I believe that this matter is such as to require prompt attention and I have therefore called your honorable body together in special session so that it may secure the advantage of an early and favorable consideration, which I earnestly recommend.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$500,000 be and hereby is appropriated to be expended by the Commissioner of Public Works for Permanent Street Pavement, and that to meet said appropriation, the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the city, to said amount.

Coun. KEENE—Mr. President, I move that the rule be suspended, and that this matter be referred to the Executive Committee.

The rule was suspended and the communication from the Mayor, with the accompanying order, was referred to the Executive Committee.

Coun. McGRATH—Mr. President, I would like to make a motion at this time that we send for Public Works Commissioner Sullivan and for Mr. Hurley, chairman of the Board of Street Commissioners, asking that they bring with them whatever data or information they have available for the Executive Committee.

President HEFFERNAN—The Executive Committee will take notice.

The Council voted at 2.15 p. m., on motion of Coun. McGRATH, to take a recess, subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President HEFFERNAN at 3.45 p. m.

## EXECUTIVE COMMITTEE REPORT.

Coun. GILBODY, for the Executive Committee, submitted a report on the order transmitted by the Mayor (referred today) appropriating \$500,000, to be expended by the Commissioner of Public Works for Permanent Street Pavement, etc.,—that said order ought to pass.

The report was accepted, and the question came on the first reading and passage of the order.

Coun. McGRATH—Mr. President, I think there are one or two phases of this situation that ought to be cleared up so far as the Council is concerned. My understanding is that his Honor the Mayor requested in the budget of this year \$250,000 for the reconstruction of streets, and that that was the only item that we have had an opportunity to vote upon. It was originally a million dollars, but because of the action of the Legislature it was cut to \$250,000. An article in one of the Boston papers, in which it says that the delay on the budget caused this situation may be misconstrued, and I would like to have it go into the records that the first time this Council has had an opportunity this year to vote on over \$250,000 for this purpose is at this special meeting today, when we get a request for an appropriation of \$500,000. I too, feel that we should say something about what has been done today in the Executive Committee. A committee of three was appointed by the chairman to wait on his Honor the Mayor, to ask the Mayor to increase this appropriation to a million dollars to take care of some forty residential streets, the expense for which would amount to about \$700,000, that are not taken care of under this order. Because of the condition of the streets in this city, every member of the Council appreciates the fact that any money properly spent on the streets is wisely spent. For that reason, I am going to be with this \$500,000 order. The Mayor says that some time later, perhaps in September, he may apply for another \$500,000 so that the plans may be worked out for next year; but it does seem to me that the necessity of improving the streets in the residential section is such a vital one that action should be taken in that direction as soon as possible. I am very sorry that something of the sort cannot be done today, so far as the suburban wards are concerned. The streets in certain sections are in deplorable condition, and the Council would be warranted in voting for an order to raise a million dollars for the purpose. The order before us, however, simply provides for \$500,000 for certain streets, a few streets that it is proposed to take care of. While I am very sorry that it does not provide for a larger amount, including money for the care of streets in the outlying district, I shall vote for the order.

Coun. PARKMAN—Mr. President, to my mind there are at least two questions presented to us today, and the correct solution depends on weighing one in the balance against the other. On the one hand, there is the question of the wisdom of borrowing money for the reconstruction and repair of streets, and on the other hand, we have to consider the necessity of repairing the streets which everyone admits is a crying one. The policy of borrowing for the repair and reconstruction of streets is one that is pretty thoroughly discredited, and one that for many years has not been followed in the City of Boston except on a few occasions when an emergency arose such as confronts us at the present time. There is also the practical question that arises, back of these questions of policy, and that is the question of how much work can actually be done in the course of the year. If we grant that the policy is a bad one, we should not consider voting a loan of any more money than can be used. Last year there was some \$631,000 worth of work done on the streets, out of an appropriation of \$1,000,000, which left a balance of \$369,000. Of that balance, \$254,000 is under contract, and of that \$254,000 only \$48,000 has actually been spent this year. Those are the figures given to the body in Executive Committee by the Commissioner of Public Works. In the budget there is an appropriation of \$250,000, so that there is money available for over \$500,000 worth of work, almost \$600,000, practically the equivalent of the work that was done last year. The commissioner stated that the only reason why more work was not done last year was because of failure of the Boston Elevated Railway to co-operate in ripping up the tracks, and this year he states that he has some evidence of better co-operation. But I think the Council should satisfy itself that that is in fact the case and that the money can actually be spent and the work actually be done. A further question before the Council—and I am only treating these questions in very brief form this afternoon—is the fact that, I believe, a majority of the Council is satisfied, in spite of the vote on the budget, that there is approximately \$200,000 to \$250,000 of slack in the budget which could be used for the repair and reconstruction of streets. If the policy of borrowing money for the repair of streets is a bad one, money is available in the budget by transfer, and should be appropriated in that way, for this purpose. Those are some of the questions which the Council should consider in voting upon this loan order. There is no question that money is needed to expend on the streets, the only question being how much money can be spent and how that money should be raised. I intend to vote for the passage of this loan order this afternoon, but I do so reserving all rights as to my vote on the second reading of the order.

Coun. GUILD—Mr. President, I think all of us in the City Council recognize that whatever responsibility there is in the City of Boston for the deplorable condition of the streets in the suburban district, which must continue for the next few months, can be fairly and squarely placed on Beacon Hill and not upon the Boston City Council or the Mayor's office. For a period of several months the Mayor used all diligence to get the Massachusetts Legislature and the Governor to give him sufficient money so that he would be able to take care of these streets without resorting to any such method as he is now forced to adopt in order to give the citizens of Boston streets to which they are entitled. The time which was passed in those negotiations has now brought about such a situation that this is the only way in which it is possible for the Mayor to carry out the program he desired to carry out and which he is willing to carry out if he is given the means to do so. I am in favor of this loan order, although I know and recognize the fact that there are those who will question the correctness of the financial methods involved; but I feel that any censure because of faulty financial methods should fall upon Beacon Hill, where we were delayed and tied up until we have been forced into such a position that, in order to give the citizens of

Boston what they are entitled to, we must resort to this method. I hope every member of the City Council will support this loan order.

Coun. WILSON—Mr. President, I wish to say at this time that I agree with very many of the reasons given by Mr. Parkman which would lead me to hesitate to vote in favor of this order. I do, however, intend to vote for the passage of the order at this time. According to the figures given us in Executive Committee, in 1926 the department spent \$530,221. According to their figures they intend to spend in 1927 over a million dollars. I shall vote for this particular order solely on the assurance of Commissioner Sullivan that he will spend approximately \$1,000,000 on these streets during this year. I was surprised to see the call for the special meeting, which seems to have been prompted by the idea that an emergency confronted us, because in looking at last year's figures I find that of the \$900,000 in last year's budget only \$530,000 was actually spent, and that \$254,000 was contracted for, but has not yet been spent, and that at the close of the year over \$100,000 had neither been spent nor contracted for. Apparently, we are now turning over a new leaf; apparently we are going to make some progress on the streets this year, and we now have an assurance that the money will be spent and the work done. That is the only reason why I am voting for the loan order at this time. I feel that there is a vast distinction between finding ourselves at the end of 1926 with \$254,000 raised from the tax levy, contracted for but not spent, and finding ourselves at the end of 1927 with a quarter to half a million raised by loan, and on which we are paying interest, in our treasury. I shall certainly be surprised and disappointed if we find later that the estimates of Mr. Sullivan are incorrect, and if we find ourselves at the end of this year with as much money unspent for this purpose as at the end of last year—the distinction being this year that we would be paying interest on the money that was left at the close of the year, besides facing the fact that the work had not been done.

Coun. McGRATH—Mr. President, I would like to say just a word in closing. One of the previous speakers has blamed Beacon Hill, the Legislature and the Governor, for the situation that now confronts us. I don't think that is a correct statement of the situation. I think the sentiments expressed by my colleague from Dorchester are perhaps truer when he refers to the unexpended balance after last year. I feel in this way about the situation: Last year this administration was fast asleep. There was nothing being done. Of the million dollars half a million was not contracted for until later than the time when most administrations would have had the work done. We had a situation where, when we called up the head of the department, he could not even tell us when the streets were to be fixed or what streets were to be fixed, and until such time as his Excellency the Governor, showing his usual wisdom and good sense, jacked up this administration and placed the responsibility exactly where it belonged, saying to the Mayor, "You promised to the citizens of Boston an administration of economy and efficiency, and you have given them neither," nothing was done. It was Governor Alvan Fuller who finally woke up the chief magistrate of this city, and who has brought about the situation where the Commissioner of Public Works this year says that he will spend the money appropriated for this purpose. So we should thank Beacon Hill for rendering, this time, at least, a service to every citizen of Boston by performing a service that neither the members of the Council, individually or collectively, could perform, by waking up, temporarily at least, some of the heads of departments and the gentleman whom they call Mayor, who sits in the corner office. So I say, rather than blame Beacon Hill, we ought to give a vote of thanks to Beacon Hill, for waking up the man who has been elected Chief Executive of this city, so that we now find the administration, late as it is, apparently realizing at last that for eighteen or twenty years no work such as should have been done has been done on our

streets. So we now have a special meeting called, and we will have another \$500,000 appropriated, which will enable some work to be done. But the most cheering part of it is the fact that the Commissioner of Public Works, upon being called on today, says he will do twice as much work this year as he did last year.

Coun. ARNOLD—Mr. President, I don't know whether his Excellency the Governor will appoint our friend to office or not, but, I am sure, after such a speech we all hope so. I recall very distinctly the fact that during the last municipal campaign very weighty arguments were used setting forth the deplorable conditions of the streets of the City of Boston, and I for one said that I would be very glad to support the next Mayor of Boston in his street program. I am sorry that I have to support him on a loan order in order to carry through that program, but support

him I shall, regardless of how this money is raised. We need the money in the City of Boston, we need it badly. Repairs have been delayed too long already; and when the time comes to take care of other streets in the City of Boston, I will be just as ready to support that program as I am now ready to support the program before us this afternoon.

The report was accepted and the order was given its first reading and passage, yeas 21, nays 0.

On motion of Coun. DONOVAN, reconsideration of the action taken was refused.

President HEFFERNAN—The purpose for which the meeting was called having been accomplished, the Council stands adjourned.

The Council stood adjourned at 4.20 p. m. to Monday, June 6, at 2 p. m.





## CITY OF BOSTON.

## Proceedings of City Council.

Monday, June 6, 1927.

Regular meeting of the City Council, in the Council Chamber, City Hall, at 2 p. m., President HEFFERNAN in the chair and all the members present.

## JURORS DRAWN.

Jurors were drawn in the manner prescribed by law, the Mayor absent, as follows:

Twenty-two grand jurors, Superior Criminal Court, to appear July 5, 1927:

William J. Grant, Ward 1; Thomas J. Moran, Ward 1; Daniel W. Sullivan, Ward 1; Andrew Sullivan, Ward 2; Edward E. Oram, Ward 3; George J. Downs, Ward 4; Charles Sperry, Ward 4; Benjamin F. Foster, Ward 5; James C. Gray, Ward 5; William H. Smith, Ward 5; Martin J. Molley, Ward 7; Timothy Gilmartin, Ward 10; James Griffin, Ward 10; John W. Grover, Ward 12; David L. Totten, Ward 12; Charles F. O'Connor, Ward 13; John H. Johnson, Ward 16; Norman D. Allen, Ward 19; James W. Dundon, Ward 19; Frank T. Bryant, Ward 20; Maurice Clancy, Ward 22; Sidney Smith, Ward 22.

Forty traverse jurors, Superior Criminal Court, to appear July 5, 1927:

Francis E. Kiernan, Ward 1; Denis Dennehy, Ward 2; John F. Gibbons, Ward 2; James E. Cummings, Ward 3; John B. Bowler, Ward 3; James C. Brennan, Ward 3; Arthur G. Stedman, Ward 3; Franklin C. Deering, Ward 4; Frank B. Lewis, Ward 5; James J. Farley, Ward 6; Eugene F. McCarthy, Ward 6; David B. Howsberger, Jr., Ward 7; Warren J. Hurley, Ward 7; Michael F. O'Connor, Ward 7; George A. Dimmock, Ward 8; James P. Fahey, Ward 8; William A. Larkin, Ward 8; Edward S. Daly, Ward 10; Frank P. Reichert, Ward 10; John M. White, Ward 10; Gilbert E. Baldwin, Ward 12; Eugene C. Masters, Ward 12; Charles Levitt, Ward 14; Joseph Minden, Ward 14; Edward R. McSwaney, Ward 16; Dennis M. Foley, Ward 17; William H. Brown, Ward 18; William A. S. Kendall, Ward 18; Frederick A. Leason, Ward 18; Joseph A. Mahoney, Ward 18; Nathaniel W. Williams, Ward 18; Melville L. Hughes, Ward 19; Henri J. Lahaise, Ward 19; William S. Heath, Ward 21; Simon C. Hyneman, Ward 21; Leonard L. Madden, Ward 21; John B. Potter, Ward 21; Charles H. McGlone, Ward 22; Alfred N. Shepard, Ward 22; John H. Van Etten, Ward 22.

Fifteen additional traverse jurors, Superior Civil Court, Fourth Session, to appear June 13, 1927:

John J. Collins, Ward 1; Arthur H. Williams, Ward 1; Cornelius J. McCarthy, Ward 2; John W. H. Othmar, Ward 3; Arthur D. Parsons, Ward 3; Louis Primo La Franche, Ward 5; John F. Kiley, Jr., Ward 6; Wilfred O. Sanborn, Ward 9; Bartholomew P. Bowen, Ward 10; Edward R. McEligott, Ward 10; Frank P. Paten, Ward 14; Lewis W. Wolfson, Ward 14; Martin H. Harrison, Ward 15; Joseph J. Kenney, Ward 20; Harry W. Hale, Ward 21.

Twenty-seven traverse jurors, Superior Civil Court, First Session, July Sitting, to appear July 5, 1927:

Robert J. Bannon, Ward 1; Louis Honduis, Ward 1; Domenico Emelio Lucuzzi, Ward 1; Frank J. Camenisch, Ward 3; Walter Atherton, Ward 5; Arthur A. Johnson, Ward 5; William F. Robinson, Ward 8; Daniel F. Breen, Ward 8; Frederick J. Bochner, Ward 10; John H. Littlefield, Ward 10; Francis G. Tapp, Ward 10; William A. Krug, Ward 11; Arthur B. Root, Ward 11; George Samuel, Ward 11; Daniel J. Crowley, Ward 13; Vincent Riedl, Ward 13; Patrick J. Boland, Ward 14; Daniel J. Donovan, Ward 15; Edward J. Dowling, Ward 15; Vincent McDonald, Ward 15; James H. Steeves, Ward 16; Harold A. Andrews, Ward 17;

Earl D. Archibald, Ward 17; Arthur E. Campbell, Ward 18; Thomas Curran, Ward 18; Alexander V. Phillips, Ward 19; William S. McNary, Ward 21.

Twenty-nine traverse jurors, Superior Civil Court, Second Session, July Sitting, to appear July 5, 1927:

George Capadanno, Ward 1; Joseph C. MacDonald, Ward 3; Joseph L. Toland, Ward 3; Michael J. Walsh, Ward 3; Benjamin E. Appleton, Ward 4; F. Haven Clark, Ward 5; Joshua B. Smallwood, Ward 5; Joseph A. Cobban, Ward 7; Timothy Horgan, Ward 7; Frank B. Morton, Ward 7; John J. Carey, Jr., Ward 9; Richard B. Hunt, Ward 9; John J. McCormack, Ward 9; Gustave A. Henning, Ward 11; Arthur E. Simpson, Ward 11; Thomas M. Cribben, Ward 13; Samuel Davis, Ward 14; Everett A. Preston, Ward 14; Edward A. Byrne, Ward 16; James J. Driscoll, Ward 16; Frank L. Churchill, Ward 17; Harold M. Gushee, Ward 17; Herbert R. Kay, Ward 17; Herbert L. McNary, Ward 17; John H. Whittier, Ward 17; Edward J. Goff, Ward 18; John J. Foley, Ward 19; Edward J. Duggan, Ward 20; Frederick Gaffey, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Third Session, July Sitting, to appear July 5, 1927:

Joseph W. Bergin, Ward 1; Joseph H. Clemens, Ward 1; William Barron, Ward 2; John F. Fitzgerald, Ward 3; John A. Flening, Ward 4; William P. B. Flint, Ward 4; Bernard S. Heckman, Ward 4; Daniel J. Keane, Ward 4; John N. MacPherson, Ward 4; John L. Nellish, Ward 4; Thomas J. Powers, Ward 4; Henry L. Souther, Ward 4; Alfred F. Rowell, Ward 4; Joseph W. Green, Ward 6; Alfred A. Edwards, Ward 7; Joseph H. Mahoney, Ward 7; Edward W. Bryant, Ward 8; Michael J. Carroll, Ward 8; George D. MacLean, Ward 8; George A. Crawford, Ward 10; John J. Cunningham, Ward 11; Carl C. Frederickson, Ward 11; Samuel Robinovitz, Ward 12; Henry J. Daley, Ward 14; William P. Gibbs, Ward 14; George A. Nixon, Ward 15; James Timmins, Ward 16; William J. Inman, Ward 21; Chester C. Fuller, Ward 22.

Thirty-four traverse jurors, Superior Civil Court, Fourth Session, July Sitting, to appear July 5, 1927:

Judson Hamilton, Ward 1; Peter F. Kerr, Ward 1; Frank A. Messina, Ward 3; Michael J. Shanahan, Ward 3; Fred Trope, Ward 3; Thomas W. Butler, Ward 4; William A. B. Sargen, Ward 4; James O'Keefe, Ward 6; James J. Sullivan, Ward 6; Patrick J. Cunningham, Ward 8; George Brindley, Ward 9; Leo H. Heath, Ward 9; Francis J. O'Connor, Ward 9; Robert E. Scott, Ward 9; Henry A. Hohmann, Ward 10; John F. Towle, Ward 10; Daniel T. Buckley, Ward 11; Hilery T. Mellyn, Ward 12; Russell B. Mortimer, Ward 12; James F. Lilly, Ward 13; William E. Slattery, Ward 13; Walter Kirby, Ward 14; Lawrence H. Kammerer, Ward 15; Daniel J. Daley, Ward 16; William J. Powell, Ward 16; John W. Ellison, Ward 17; Hector N. Paradise, Ward 17; Thomas C. Daggett, Ward 18; George H. Fenno, Ward 18; Thomas Finnegan, Ward 19; William J. MacKerron, Ward 20; Axel Rose, Ward 20; Waldo A. Barber, Ward 22; Frederick W. Rice, Jr., Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Sixth Session, July Sitting, to appear July 5, 1927:

Frank A. Ellis, Ward 1; Charles F. Martell, Ward 1; Thore F. Mylen, Ward 1; William H. Lewis, Ward 2; Patrick E. Short, Ward 3; Joseph Sullivan, Ward 3; Emile F. Coulon, Ward 4; Charles Henry Howland, Ward 4; Elmer C. Wadleigh, Ward 4; LeRoy J. Briggs, Ward 5; Thomas Patrick Mahoney, Ward 5; Charles J. Canniff, Ward 6; James F. Conroy, Ward 6; John J. Mulkern, Ward 6; James W. Kelly, Ward 7; Herbert W. Wilkins, Ward 8; Peter Drysdale, Ward 9; Walter F. Hayes, Ward 9; Samuel F. Mansell, Ward 9; Edward T. Mullen, Ward 11; Daniel G. McCormack, Ward 12; James O'Rourke, Ward 13; Edward J. Sheehan, Ward 13; Charles A. Broderick, Ward 14; Isadore C. Frieh, Ward 15; Cornelius F. Murray, Ward 16; Abel M. Wood, Ward 17; Edward Weithaas, Ward 20.

Twenty-seven traverse jurors, Superior Civil Court, Seventh Session, July Sitting, to appear July 5, 1927:

John McKenna, Ward 1; James M. Swansburg, Ward 1; James F. Weleh, Ward 1; James Cherring-

ton, Ward 3; Domenico D. DeCanio, Ward 3; William J. J. McGrath, Ward 3; Harry Baum, Ward 4; Daniel J. Morrison, Ward 4; Harlow M. Davis, Ward 5; Charles L. Pitkin, Ward 5; Edward F. Manning, Ward 6; Michael McCarthy, Ward 6; Daniel J. Chapman, Ward 7; William Moran, Ward 9; Francis A. Smith, Ward 9; John J. Laffey, Ward 10; Harry Anderson, Ward 13; Daniel McVarish, Ward 13; Solomon Levy, Ward 14; Frederick K. Evans, Ward 17; Wesley M. Stark, Ward 17; Michael J. Patta, Ward 18; Clinton R. Wood, Ward 18; William F. Aldrich, Ward 19; Wilhelm Sievers, Ward 19; Francis H. Braey, Ward 20; Carroll H. Wright, Ward 21.

#### APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the following appointments were received from the Mayor:

Weigher of Goods: Miss Rose Krinsky, 187 Callander street, Dorchester.

Weighers of Coal: Benjamin H. Cohen, Robert Levine.

Measurer of Grain and Weigher of Goods: Harry B. Wood, 41 Walnut Park, Roxbury; Arthur J. Duffy, 673 Saratoga street, East Boston, Lord & Webster Company.

Weigher of Goods: Edward Conlon, 4 Ellsworth avenue, Cambridge, Youlden, Smith & Hopkins.

Constables for the term ending April 30, 1928: Jeremiah J. Mahoney, 6 Ivy street, Ward 5; Frank M. McCloskey, 34 West Selden street, Ward 18; William V. Green, 57 Harvest street, Dorchester, Ward 7.

Severally laid over a week under the law.

#### CODMAN SQUARE CONVENIENCE STATION VETO.

The following was received:

City of Boston,  
Office of the Mayor, May 25, 1927.  
To the City Council.

Gentlemen,—I return herewith, without my approval, your order passed May 9 for the construction of a public convenience station in Codman square, as it will not be necessary to issue indebtedness, provided such station is to be constructed.

Yours very truly,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

#### HIGH PRESSURE FIRE PROTECTION, PARKER HILL.

The following was received:

City of Boston,  
Office of the Mayor, May 23, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communication from the Public Works Department in reply to your order of April 11, 1927, in relation to high pressure fire protection service in the Parker Hill district, Roxbury, Ward 10.

Yours very truly,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, May 17, 1927.  
To the Honorable the Mayor.

I return herewith the order of the City Council requesting the Commissioner of Public Works to provide high pressure fire protection in the Parker Hill district of Roxbury, and submit the following report of the Division Engineer of the Water Division:

"Parker Hill is in the high service area of Boston and is supplied from, and the water pressure is maintained by, Fisher Hill Reservoir in Brookline, the high water elevation of said reservoir being 251 feet above city base. Assuming that a pressure of 30 pounds should be available at all times, which is as great as a large portion of Boston has, the area of Parker Hill which does not have this pressure is that area above grade line of 185 feet above city base. This comprises only a length of about 1,200 linear feet of Parker Hill avenue, extending from a point 150 feet west of Wait street to a point 800 feet west of Iroquois

street. To increase the pressure in this limited length of Parker Hill avenue will be a very costly proposition. Two ways are available, namely:

First. The greater water pressure available in Boston is that supplied from the Bellevue tank in West Roxbury, high water level being 375 feet above city base, and to bring this supply to Parker Hill it will be necessary to lay 12,000 linear feet of 12-inch water pipe from the junction of Centre and May streets, the nearest point of the Bellevue tank system, to Parker Hill. The rock and other difficulties that will be encountered make the estimated cost of this pipe laying about \$120,000. This single line will not completely solve the question, and to safeguard against loss of water in case of accident to this single pipe line, a second water pipe line through Brookline, Huntington avenue and Wait street is necessary to guarantee a constant supply. The greater portion of this second water pipe line would have to be laid by the Metropolitan District Commission in Brookline, on our request, etc. The second line will cost an additional \$100,000, a total estimated expenditure of \$220,000 to increase the water pressure in the limited length of water pipe in Parker Hill avenue.

Second. To install a small pumping unit to increase the water pressure, and as this station should be maintained twenty-four hours daily, the cost will be a serious factor to be considered.

As a matter of fact, the various hospitals on the top of Parker Hill are now amply protected by pumping units installed in said hospitals, both for domestic use and fire protection. The only buildings that are not as amply supplied as might be desired are six dwellings in this length of Parker Hill avenue, and they suffer only as to the fact that water flows slowly in their dwellings. On this length of 12-inch water pipe there are six post hydrants to which the fire apparatus can attach, and while the normal pressure is not of itself sufficient for fire-fighting purposes, any desired water pressure can be had by operating the pumps on the fire engines."

In view of the increased burdens placed upon the city by the state to meet the cost of the additional water supply for the metropolitan district, it does not seem feasible to assume a further expenditure of \$220,000 where the conditions do not warrant it.

Yours respectfully,

J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### GREYLOCK ROAD, BRIGHTON.

The following was received:

City of Boston,  
Office of the Mayor, May 26, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communication from the Public Works Department in reply to your order of April 25 in relation to Greylock road, Brighton.

Yours very truly,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, May 23, 1927.  
To the Honorable the Mayor.

I return order of the City Council, dated April 25, 1927, and relating to Greylock road, Brighton, now under contract for construction.

Before the contractor's work is accepted by the department, he will be required to make good any defective or unsatisfactory construction, as called for by the terms of his contract.

Yours very truly,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### ROOM FOR BABY CLINIC AND DISTRICT NURSES.

The following was received:

City of Boston,  
Office of the Mayor, May 27, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communication from the Department of Public Buildings in reply to your order of May 16, 1927, in relation to the use by the baby clinic and district nurses of



the room formerly occupied by the judges and the room adjoining in the Dorchester Courthouse on Arcadia street.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Buildings Department, May 24, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Replying to the inclosed order of the City Council, that the Superintendent of Public Buildings be requested, through his Honor the Mayor, to assign for the use of the baby clinic and district nurses, the room formerly occupied by the judges and the adjoining room in the Dorchester Courthouse on Arcadia street, I wish to say that the rooms referred to are unoccupied at the present time and I can see no reason why same cannot be used by the baby clinic and district nurses of the Health Department.

I will be glad to confer with them at any time that suits their convenience.

Respectfully yours,  
JOHN P. ENGLERT,  
Superintendent of Public Buildings.  
Placed on file.

#### CATCH-BASINS IN WARD 10.

The following was received:

City of Boston,  
Office of the Mayor, May 27, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communication from the Public Works Department in reply to your order of May 16 in relation to catch-basins in Ward 10 being cleaned.

Yours very truly,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, May 26, 1927.  
To the Honorable the Mayor.

I return order of the City Council, dated May 16, 1927, "That the Commissioner of Public Works be requested, through his Honor the Mayor, to have cleaned all catch-basins in Ward 10."

There are about 550 catch-basins in Ward 10. Up to date we have received only five complaints of flooded basins in this ward, and these have been attended to. These complaints were from Roxbury Crossing and the vicinity of Huntington avenue and Tremont street. In addition, basins have been cleaned in New Heath street, Old Heath street, Bickford street, Minden street, portions of Huntington avenue, and a great many bordering on the line of Ward 10, such as those on Prentiss street, Ritchie street, Centre street, Cedar street and Columbus avenue.

The contract for catch-basin cleaning in Roxbury calls for cleaning 3,000 basins. The work is now in progress, and the worst places will soon be taken care of.

Yours respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.  
Placed on file.

#### SILENT POLICEMAN, WARD 10.

The following was received:

City of Boston,  
Office of the Mayor, May 28, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communication from the Police Department in reply to your order of May 9 in relation to the installation of a silent policeman at the junction of St. Alphonsus street and Smith street, Ward 10.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Police Department, May 27, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

My dear Mayor Nichols,—In reply to the order of the City Council that the Police Commissioner be requested through his Honor the Mayor to install a silent policeman at the junction of St. Alphonsus and Smith streets, Division 10, I would say, that after investigation of this matter, in my opinion, the

installation of a traffic signal at this point would not be practical, inasmuch as both St. Alphonsus and Smith streets being approximately twenty-eight feet wide, left-hand turns for trucks and large vehicles would be difficult and probable continuous damage, by vehicles, to the traffic signal would result.

Yours respectfully,  
HERBERT A. WILSON,  
Police Commissioner.  
Placed on file.

#### LOANS FOR HOSPITAL BUILDINGS.

The following was received:

City of Boston,  
Office of the Mayor, June 3, 1927.  
To the City Council.

Gentlemen,—I am in receipt of the attached letter from the trustees of the City Hospital in connection with the three million dollar building program authorized by the Legislature at its session in 1924. Under the program developed by the Trustees six major improvements were planned at the Hospital. Up to the present time, appropriations have been made available for four of these units. The communication herewith attached is primarily concerned with the two remaining units in the program.

Under the terms of the legislative act authorizing the hospital building program, it was provided that two thirds of any loan issued under the act shall be borrowed outside the statutory limit of indebtedness, and one third within the borrowing power of the city. For this reason, I submit herewith, in accordance with the request of the trustees, four loan orders totalling \$522,000. Two of these orders pertain to the House Officers' Building, plans for which have been drawn and accepted by the Trustees. The other two orders pertain to the Medical Pavilion and are intended to provide for certain preliminary work which must be finished before the actual construction of the Medical Pavilion can be started. I respectfully recommend adoption of these orders by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Hospital Department, May 19, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor.—To complete the building program within the act allowing the City of Boston to expend \$3,000,000 for hospital improvements, the trustees intend to construct two more buildings, one for house officers, and a medical pavilion of eight stories. In order to go forward with this program, it becomes necessary to demolish Wards Q, R and S, and to make certain changes in Wards F, G and H.

On behalf of the trustees, I therefore respectfully request that \$460,000 be appropriated for the construction of the House Officers' Building, plans for which have been drawn and accepted by the trustees, and \$60,000 to make such changes as may be necessary in Wards F, G and H, and to connect the same with the tunnel.

Yours respectfully,  
HENRY S. ROWEN,  
Acting President.

Ordered, That under authority of chapter 352 of the Acts of 1924, the sum of \$20,000 be and the same hereby is appropriated to be expended by the trustees of the Boston City Hospital for Medical Pavilion, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount.

Ordered, That under authority of chapter 352 of the Acts of 1924, the sum of \$40,000 be and the same hereby is appropriated to be expended by the trustees of the Boston City Hospital for Medical Pavilion, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount, the same to be issued outside the limit of indebtedness.

Ordered, That under authority of chapter 352 of the Acts of 1924, the sum of \$154,000 be and

the same hereby is appropriated to be expended by the trustees of the Boston City Hospital for House Officers' Building, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount.

Ordered, That under authority of chapter 352 of the Acts of 1924, the sum of \$308,000 be and the same hereby is appropriated to be expended by the trustees of the Boston City Hospital for House Officers' Building, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount, the same to be issued outside the limit of indebtedness.

Coun. WILSON—Mr. President, I would like to ask if any reply has come in relation to the Homeopathic Hospital buildings, so nearly adjacent to the hospital, which are on the market for sale?

President HEFFERNAN—No reply has been received as yet.

The communications and orders were referred to the Committee on Finance.

#### BEQUEST OF A. SHUMAN.

The following was received:

City of Boston,  
Office of the Mayor, June 3, 1927.  
To the Honorable the City Council.

Gentlemen,—On October 20, 1919, the City Council unconditionally accepted a bequest of the late A. Shuman wherein he left to the City of Boston \$100,000 for the purpose of erecting a convalescent home for men. On January 2, 1924, before this money had been turned over to the City of Boston the City Council amended said unconditional acceptance by providing that subject to an order of the Probate Court the city should accept this sum for the following purposes:

1. For the erection of a building to be used as a maternity hospital as a department of the Boston City Hospital, this building to be known as "The A. Shuman Maternity House."

2. For the erection on the grounds of the City Hospital of a dormitory for house officers, internes and orderlies engaged in the service of the Boston City Hospital, said building to be known as "The A. Shuman Memorial."

3. For the erection on the grounds of the City Hospital of a dormitory for female nurses engaged in service at the Boston City Hospital, said building to be known as "The A. Shuman Memorial."

4. For the establishment of a fund out of which financial assistance may be rendered to men patients convalescing from acute diseases following treatment in the Boston City Hospital, except those convalescing from alcoholism, who have been discharged from the hospital and who are in need of financial assistance; this fund to be administered by the trustees of the Boston City Hospital and to be known as "The A. Shuman Memorial Fund for Convalescent Men."

The executors under the Shuman will thereafter filed a petition with the Probate Court seeking instructions as to what should be done with this money and whether the city had the legal right to this money in view of the amended acceptance of January 2, 1924. The Corporation Counsel has advised me that the amended acceptance of January 2, 1924, is of no force and effect and is in law null and void on the grounds that in this Commonwealth when once a trust for a public charity is accepted by those designated in the will as its trustees, such acceptance cannot be amended at will and the trustees designated must carry out the desires of the testator as expressed in his will. At the hearing held in the Probate Court, the Court suggested that the City Council pass a new order rescinding and annulling the amended order of January 2, 1924, and reaffirm and re-enact the original order of acceptance of October 20, 1919.

In view of the fact that I am desirous of securing this money for the city and to comply with the suggestion of the Probate Court, I am accordingly submitting for your approval the inclosed order carrying out this recommendation of the Court.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Whereas, On the twentieth day of October, 1919, the City Council of the City of Boston by its order unconditionally accepted the bequest to the City of Boston under the will of the late Abraham Shuman for the erection of a building to be known as "The A. Shuman Memorial Building for Convalescent Men" which order was approved by his Honor the Mayor, Andrew J. Peters, on October 22, 1919; and

Whereas, Subsequent thereto, on the thirty-first day of December, 1923, the City Council of the City of Boston by its order amended said order of October 20, 1919, by providing that the said bequest be accepted subject to the issuance of an order by the Probate Court, permitting the fund to be used for any of the following purposes:

1. For the erection of a building to be used as a maternity hospital as a department of the Boston City Hospital, this building to be known as "The A. Shuman Maternity House."

2. For the erection on the grounds of the City Hospital of a dormitory for house officers, internes and orderlies engaged in the service of the Boston City Hospital, said building to be known as "The A. Shuman Memorial."

3. For the erection on the grounds of the City Hospital of a dormitory for female nurses engaged in service at the Boston City Hospital, said building to be known as "The A. Shuman Memorial."

4. For the establishment of a fund out of which financial assistance may be rendered to men patients convalescing from acute diseases following treatment in the Boston City Hospital, except those convalescing from alcoholism, who have been discharged from the hospital and who are in need of financial assistance; this fund to be administered by the trustees of the Boston City Hospital and to be known as the "A. Shuman Memorial Fund for Convalescent Men."

This order was approved by his Honor the Mayor, James M. Curley, on January 2, 1924; and

Whereas, The Corporation Counsel of the City of Boston has advised the City Council that said amended acceptance of December 31, 1923, is of no force and effect and is in law null and void;

Therefore be it Ordered, That said order of the City Council passed on December 31, 1923, and approved by his Honor the Mayor on January 2, 1924, be and hereby is rescinded and annulled and the order of the City Council passed October 20, 1919, and approved by his Honor the Mayor on October 22, 1919, wherein the said bequest of the late Abraham Shuman was unconditionally accepted, be and hereby is re-enacted and affirmed.

Referred to the Executive Committee.

#### APPROPRIATION FOR FIRE STATION.

The following was received:

City of Boston,  
Office of the Mayor, June 4, 1927.  
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Fire Commissioner relative to the new fire station at Parish street, Meeting House Hill. Last year a loan appropriation of \$100,000 was authorized for the erection of this building. With the opening of the bids last Friday, June 3, it develops that this appropriation will be insufficient to meet the total cost of construction.

In the opinion of the Fire Commissioner \$15,000 additional will be necessary to cover all the expenses that naturally come up in the erection of such a building.

In view of this opinion I submit herewith an order providing for the appropriation of this sum from the Special Fund, Sales of City Property. I respectfully recommend the adoption of this order by your honorable body.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Fire Department, June 3, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—In June, 1926, an appropriation of \$100,000 was passed by the City Council to erect a new fire station at Parish street, Meeting House Hill. The erection of this station will do away with two old, dilapidated buildings that are totally unfit for the housing of men or apparatus.

Following the passage of the appropriation,



plans and specifications have been prepared to erect a building which was simple in design, but adapted to accommodate the two companies that are located on the hill.

At noon, today, bids were opened after advertising in the *City Record*, and the following figures were submitted by thirteen contractors.

| Bidder.                                              | Amount.  |
|------------------------------------------------------|----------|
| M. S. Kelliher Company.....                          | \$99,453 |
| Phandor Company.....                                 | 100,589  |
| John B. Dolan.....                                   | 102,865  |
| J. Slotnick Company.....                             | 106,860  |
| John Bowen Company.....                              | 107,352  |
| Matthew Cummings Company.....                        | 107,830  |
| Joseph Rugo.....                                     | 108,440  |
| Milton Construction and Engineering Corporation..... | 108,849  |
| Archdeacon & Sullivan.....                           | 109,400  |
| Thomas O'Connor Company.....                         | 110,720  |
| A. Piotti Company.....                               | 113,688  |
| P. J. Cantwell.....                                  | 119,469  |
| White Construction Company.....                      | 120,110  |

It is apparent that the appropriation is not sufficient to cover the cost, and more money will be needed to carry on the work. An examination of the figures submitted shows that the bidding was consistent, and I think that no good would be served by readvertising.

I respectfully recommend to your Honor that an order be submitted to the City Council asking for \$15,000 more to be added to this appropriation to cover the expenses additional to the construction of the building, such as architect's fees, printing and blueprinting, advertising and any other items that naturally come up in the erection of such a building.

Yours very truly,  
EUGENE C. HULTMAN,  
Fire Commissioner.

Ordered, That the sum of \$15,000 be and hereby is appropriated from Special Fund, Sales of City Property, for new fire station, Engine 17 and Ladder 7, Dorchester.

Referred to the Executive Committee.

#### ICE FOR DRINKING FOUNTAINS.

The following was received:

City of Boston,  
Office of the Mayor, June 6, 1927.  
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Commissioner of Public Works in which he requests that an appropriation be made available for the purchase of ice for the public drinking fountains. As this is an annual expenditure, I submit for your approval the accompanying order.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, May 28, 1927.  
To the Honorable the Mayor.

I respectfully recommend that the City Council be asked to appropriate from the Reserve Fund the sum of \$6,000 for ice to be furnished for drinking fountains during the present season.

Yours respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Ordered, That the Commissioner of Public Works be authorized to expend a sum not exceeding \$6,000 for the purpose of furnishing ice for the public drinking fountains during the present season, said sum to be charged to the Reserve Fund.

Referred to Executive Committee.

#### LEASE OF LAND ON SPRING STREET.

The following was received:

City of Boston,  
Office of the Mayor, June 6, 1927.  
To the Honorable the City Council.

Gentlemen,—Enclosed please find an order authorizing the Mayor of the City of Boston, in

the name and behalf of the city, to lease to the United States Government the land in West Roxbury which was formerly used and occupied as the West Department of the Boston City Hospital. The premises are on Spring street and, as you know, have been leased to the United States Government for the use of the United States Veterans Bureau. The present lease terminates June 30, 1927. The Government desires to lease the premises for some time longer, but they are uncertain as to the length of time for which they will need the premises. You will see by the terms of the order that the length of the lease can in no case extend beyond December 31, 1928. The conditions suggested in the order are substantially the same as those in the lease under which the United States Government now has possession of the premises and the rent is exactly the same. I may also add that the trustees of the Boston City Hospital are not adverse to leasing the premises.

I therefore recommend the passage of the accompanying order.

MALCOLM E. NICHOLS, Mayor.

Ordered, That His Honor the Mayor, be and he hereby is, authorized in the name and behalf of the City of Boston, in form satisfactory to the Law Department, and at a yearly rental of thirty-five thousand one hundred and seventy-five dollars (\$35,175), the lessee in addition to pay the cost of changes, repairs, alterations and improvements and to pay the cost of restoration of the leased premises after the termination of the lease or any final renewal thereof, unless the lessor otherwise agrees, to execute a lease to the United States of America of that certain tract or parcel of land consisting of thirty and one half acres, more or less, together with the buildings and improvements thereon, situate on Spring street, in the West Roxbury district of said City of Boston, known as the West Department of the Boston City Hospital, as at present occupied by the United States Veterans Bureau, Health Service Hospital No. 44, for the term of one year beginning July 1, 1927, and ending June 30, 1928. The United States Government is to have the option to terminate the said lease by giving to the City of Boston three months' notice in writing of its intention so to do; and said United States Government is also to have the option of renewing the said lease under the same terms and conditions as therein provided; but no renewal thereof shall extend the term of the lease or the period of occupancy beyond the thirty-first day of December, 1928.

Referred to the Committee on Public Lands.

#### SALARIES OF SCHOOLHOUSE COMMISSIONERS.

The following was received:

City of Boston,  
Office of the Mayor, June 6, 1927.  
To the City Council.

Gentlemen,—I transmit herewith an amendment to the Revised Ordinances of 1925, pertaining to the salaries of the members of the Board of Schoolhouse Commissioners. The duties of the members of this Board may be said to be analogous to those of the members of the Transit Commission. The accompanying amendment fixes the salaries at the same levels as now exist for this latter commission. I recommend adoption of the accompanying ordinance by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

An Ordinance Concerning the Salaries of the Schoolhouse Commissioners.

Be it ordained by the City Council of Boston, as follows:

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the schoolhouse commissioners by striking out the words "the chairman five thousand dollars, and the two other commissioners each four thousand dollars" and inserting in place thereof the words—"the chairman seventy-five hundred dollars, and the two other commissioners each five thousand dollars."

Referred to the Committee on Ordinances.



### SALARY OF SUPERINTENDENT OF SUPPLIES.

The following was received:

City of Boston,  
Office of the Mayor, June 6, 1927.  
To the City Council.

Gentlemen,—I transmit herewith an amendment to the Revised Ordinances of 1925 which will establish the salary of the Superintendent of Supplies at \$7,500 per year.

The duties of purchasing agent in a corporation the size of our municipality involve an unusual degree of discretion and good judgment which are not fully represented by the present salary of \$6,000 per year. I am strongly of the opinion that the present salary should be increased by at least \$1,500 and therefore ask your favorable consideration of the accompanying ordinance.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

An Ordinance Concerning the Salary of the Superintendent of Supplies.

Be it ordained by the City Council of Boston, as follows:

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the superintendent of supplies by striking out the words "six thousand" and inserting in place thereof the words—seventy-five hundred.

Referred to the Committee on Ordinances.

### POWER AND HEATING PLANT AT DEER ISLAND.

The following was received:

City of Boston,  
Office of the Mayor, June 6, 1927.  
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Penal Institutions Commissioner relative to conditions at the power and heating plant at Deer Island. It is apparent from this communication that action should be taken at once to remedy these conditions. I accordingly submit herewith an order providing for the appropriation of \$125,000 to be utilized for the erection of a central heating plant at the House of Correction. I respectfully recommend adoption of this order by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Penal Institutions Department, June 6, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Conditions at the power and heating plant at Deer Island have now reached such a state that it is necessary that immediate action be taken.

Practically all of the boilers are over twenty years old, and we are now using three plants to heat and supply light to the island.

An inspection of the plant has been made on different occasions, at the request of your Honor, by Mr. Louis K. Rourke, Building Commissioner, Mr. James J. Mahar, Engineer of the School Department, and Mr. James H. Ritchie. All felt that the proper solution of the problem was the erection of a central heating and power plant to take care of the needs of the institution. Mr. Mahar is thoroughly familiar with our plant, as he had made a survey in 1915.

I inclose herewith copy of Mr. Mahar's report submitted to your Honor, under date of May 18, 1927, after his last inspection of the plant, and also report submitted by Mr. Ritchie under date of June 4, 1927.

Because of the imperative need, and because the location of the island is such that a longer time would be required to build a plant than if located on the mainland, I respectfully request that you submit an order to the City Council for a loan in the sum of one hundred twenty-five thousand

dollars (\$125,000) to provide for a central power and heating plant for the House of Correction at Deer Island.

Yours respectfully,  
PHILIP A. CHAPMAN,  
Penal Institutions Commissioner.

Ritehite, Parsons & Taylor,  
Architects and Engineers,  
15 Ashburton Place, June 4, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

My dear Mr. Mayor,—I have read with great care Mr. Mahar's report of May 18, and have had two or three conferences with Mr. Mahar and have also consulted Mr. Chapman with regard to the contemplated changes in the power plant at Deer Island. Mr. Mahar's estimate of \$100,000 for this work, I believe, leaves an insufficient margin for safety, and I recommend that the appropriation be increased to \$125,000 for the following reasons:

Mr. Mahar's estimate did not include the architects' or engineers' fees. It did not allow for the fact that, in constructing the new boiler building, it would be necessary to almost entirely duplicate the present capacity of the electric generators in order to give continuous lighting service and fire protection for the pumps on the island during the construction period. In order to do this the new generators would have to be in place and in operation before the present generators in the boiler building could be disconnected, dismantled, and rebuilt in the new power building, and reserved for spares or for peak loads in the middle of the winter.

The piping of the mains in the basement of the existing buildings is in rather bad shape, and the probability is that when steam is put on to these lines from the new power plant, and at probably a little higher pressure than the existing system, leaks will develop and possibly there will be quite a bit of necessary repairing on these lines, so I believe a margin of four or five thousand dollars for this kind of alteration should be allowed.

It is very difficult to accurately gauge the cost of this construction work located as it is on an island in the harbor, for there is an uncertain factor in the extra cost of transporting men and materials and therefore difficult to accurately gauge the value of this work on an island location. I feel safe, however, in recommending to you that an appropriation of \$125,000 would prove to be adequate, and it may be that all of it would be required.

I am returning herewith for your files Mr. Mahar's report, which you so kindly loaned to me.

Respectfully submitted,  
JAMES H. RITCHIE

The School Committee, May 18, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

My dear Mr. Mayor,—At your request I conferred with Commissioner Chapman of the Penal Institutions Department and we both visited Deer Island on May 16, 1927. Mr. Chapman pointed out to me the troubles now existing at the island and the difficulties they are having with the present boiler equipment.

On the island there are three boiler plants:

(1.) Power House. In the power house there are two 54-inch horizontal return tubular boilers, one fourteen and the other eight years old, which at one time operated at Rainsford Island and which were afterwards disconnected and set up in the power house on Deer Island. There is also one 72-inch horizontal return tubular boiler, twenty-one years old. This entire boiler plant should carry a pressure of 100 pounds, but the boiler inspector, after an examination, reduced this pressure from 100 to 80 pounds.

(2.) Men's Old Prison. In this prison there are three 54-inch horizontal return tubular boilers, about twenty-four years old, and not in constant use but are put into operation in connection with the plant at the power house at times during the cold weather when the boilers in the power house plant are not sufficient to do the work.

(3.) Hill Prison. In the boiler room in this building there are three 72-inch horizontal return tubular boilers, twenty-four years old, and in pretty fair condition. They operate at a pressure of 80 pounds.

From the above you will see that the heating and power required for use on Deer Island is practically supplied by three boiler plants located on various parts of the island.

For your information I might say that during the year 1917 I was asked by the then Mayor of Boston to make a survey of the power plant at the island. At that time I advocated a central boiler plant sufficiently large to do the work of supplying steam to all the buildings on the island for both heating and power requirements. I personally designed the boiler plant and laid out the system of piping, wrote the specifications, and the following year the work was put on the open market for competitive bidding. It so happened that when the bids were called for the contractors did not desire to bid on competitive work because of war conditions and the uncertainty of estimating on the cost of labor and materials. Several bids were received, however, but at that time the contract was not awarded and the work was not done. That same year in order to allow the boiler plant in the power house to operate, it was necessary to make minor repairs on two of the boilers. These boilers were afterwards removed and two taken from the Rainsford Island Power House were installed in their places.

The entire heating plant on the island is a very old one. Constant repairs are necessary, and the heating of the island by three separate power plants is not an economical arrangement to my mind. I would recommend the following:

1. That a new power house of simple design be built near the center of the island, than the location of the present power house. I would recommend that this power house be built near the location of the present bake shop and be large enough to accommodate a number of boilers necessary to do the work of furnishing heat and power to all of the buildings on the island. Also to be of sufficient size for the installation of the present electric generators now in the old power house, and to provide sufficient room for boiler feed pumps, tanks, fire pumps, etc.

2. I would not favor placing this power house near the wharf where the coal is landed for use on the island. This procedure of locating the boiler room near a point where the fuel is delivered is followed in private practice, but in this instance, where the island is sufficiently supplied with help and where coal can be easily carted from the wharf to the new boiler plant with no expense, I feel that the location of the power house near the wharf should be sacrificed for the location I have referred to above. If the work of building a new power house and making other changes on the present heating is carried out during the summer and fall, all of this work can be so arranged without interfering with the operation of the present plant. I would recommend that the power house be of simple design brick walls, reinforced roof and to contain on the four sides as many large windows as possible; that this power house be large enough to provide for the following large cold storage bunker (capacity 400 tons), one large boiler room, sufficiently large in which four 72-inch horizontal return tubular boilers could be installed, one large room for the accommodation of the present electrical generator plant, and one room which could be used as a combination pump room and engineer's office and workshop. This power house should contain boiler power sufficiently large to take care of all the present needs of the buildings on the island, and should also be capable of future extension or addition. I estimate the cost of this entire work at approximately \$100,000. I know that you will appreciate that this is very difficult to approximate the cost of work of this kind, in an institution located on an island in the harbor. The problem of transportation from the city of building materials, etc., and the cost of labor are large items to enter into this estimate.

3. The solution of this problem is not simple. It requires careful study and I would strongly recommend that the services of a heating engineer possessing the knowledge of power plant design be engaged to solve this problem in all its details, to design the boiler-house chimney and to make satisfactory connections of the present heating equipment in all the buildings to the new boilers in the new plant.

The plants which were made by me in 1912 are not wholly applicable now. The use of some of the buildings in the vicinity of the old power house has been discontinued and a more central location of the power house than the location which was planned in 1917 is desirable.

If it were possible for me I would be very pleased to design a plant for Deer Island, which would fit its needs and which would provide heating power for all the buildings on the island.

I know that you realize that this would require a great deal of time, more time than I am able to give, in the drawing of plans, the writing of specifications and the other work incidental to this proposed installation. I would be very glad to keep in touch with Mr. Chapman, or to give any information to anyone whom you may select to do this engineering work. I am most familiar with the present apparatus at Deer Island and fully appreciate its present condition and the necessity of making the changes and additions referred to above.

Kindly let me know if I can be of any further assistance in the matter. I shall be glad to give you any further information or to discuss the matter with you if you so desire.

Respectfully,

JAMES J. MAHAR, Engineer.

Ordered, That the sum of \$125,000 be and hereby is appropriated to be expended under the direction of the Penal Institutions Commissioner, for Central Power Plant, House of Correction, Deer Island, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

#### LOAN ORDER FOR NEW FIRE STATION, WEST END.

The following was received:

City of Boston,

Office of the Mayor, June 6, 1927.

To the City Council.

Gentlemen,—In the opinion of the Fire Commissioner it is desirable that the three station houses in the Bowdoin square district be abandoned and that the companies now housed in these quarters be consolidated in one building centrally located in this section. I have conferred with the Fire Commissioner and the Street Commissioners relative to the cost of acquiring land for this purpose and the erection thereon of an adequate building. I submit herewith reports made by these gentlemen on this project, and in accordance with the figures shown in these reports I recommend for adoption by your honorable body the accompanying loan order providing for the appropriation of \$750,000 for this purpose.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Street Laying-Out Department, June 6, 1927.  
Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—Replying to your favor of June 4, 1927, requesting an estimate of the sum sufficient to cover the expense of acquiring the Old Revere House property in Bowdoin square for a fire house.

An examination of the assessors' figures and estimates of three real estate experts gives a figure of approximately \$387,375.

There is at present no stability in real estate prices along the new thoroughfare, and recent verdicts by juries in land damage cases against the city have failed to furnish anything like a uniform standard.

Under such conditions, the Board must allow itself a sufficient margin of safety to do justice to the parties in interest and safeguard the city's rights.

These figures, of course, are not to be taken as indicating the price which the city may expect to pay for this land, but are made up in accordance with the practice which prevails in this department for determining estimates sufficiently ample to cover all possible expense.

Therefore, the Board feels warranted in asking your Honor to recommend a loan of \$400,000 above the estimate of the construction of the fire house.

Respectfully,

THOMAS J. HURLEY,  
Chairman.

City of Boston,

Fire Department, December 21, 1926.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Little or no consideration has been given to the location of the fire houses in this



department as to their situation relative to the territory they are at present expected to protect, or as to the width of the streets on which the apparatus must leave the houses. Many of the fire houses of this department are so old as well as so badly located as to make it uneconomical to attempt to alter or repair them. Several of our houses are located so near the boundary line of adjoining municipalities as to give to this city only about one half their effective radius of action. Most of our houses particularly in the high value district are relics of the past, some dating back to the earliest days of horse-drawn apparatus.

This department is making a study for the purpose of making a comprehensive plan of consolidating many of the houses now existing into larger units which will result in economy of maintaining the houses in regard to heat, light, repairs, etc., giving better fire protection to the districts in which they are located as well as to improve the standard of living and the morale of the men. It seems to be the modern practice in the thickly settled sections of the larger cities to build houses to accommodate at least four fire companies.

As the first step in such a plan I desire to lay before you, for your consideration, the conditions in regard to the present Engine Company 4, located at 5 Bulfinch street, Engine Company 6, located at 24 Leverett street, and Ladder Company 24, located at North Grove street. These houses are all small, obsolete and in bad repair.

Several years ago it was necessary to remove the water tower located at Bulfinch street to other quarters as Bulfinch street is so narrow that it was practically impossible to get this piece of apparatus out of the house in reasonable time to respond to alarms. At present there is only one engine company regularly stationed in this house and even the pumper and hose wagon of this company cannot always make the turn from this house on to the street without stopping and backing. The sanitary condition of this house is so bad that it is necessary from time to time to employ a professional vermin killer to control the vermin in this house.

Engine 6, on Leverett street, occupies another old and antiquated house with poor living conditions for the men, and bad conditions in regard to getting apparatus out of the house promptly to respond to alarms.

Ladder 24, on North Grove street, has identical conditions with the two foregoing engine companies, with the added objection that it is too near the Charles River Basin to allow for its most effective use to this city. At present, due to the conditions on North Grove street, we are maintaining at that station only a city service truck, whereas fire protection demands an 85-foot ladder, because the longer ladder could not make the turn in the narrow width of North Grove street.

The water tower which was removed from Engine 4's House is now located at the quarters of Engine 25, Fort Hill square, from which station it must cross the entire city under most adverse traffic conditions to reach the territory which it was intended to protect. These conditions leave the West End section of the city, which is increasing rapidly in value since the widening of Cambridge street as well as having the very important thing to consider from a fire standpoint, the Massachusetts General Hospital,—without sufficient protection.

Another important matter which must be taken into consideration is the protection afforded to the highest value district, namely, the retail store and office building district. The abandonment of the old Fire Headquarters Building on Mason street, the apparatus from which is to be housed at the new station located on Broadway, removes that apparatus nearly one-half mile southerly from the district formerly protected by the Mason street station.

The ideal site for the new house suggested above would be at the corner of Bulfinch and Cambridge streets, the site of the former Revere House. This lot contains approximately 11,000 square feet and adjoins the present property owned by the city on Bulfinch street, and has a frontage upon Bowdoin square and Cambridge street of approximately 137 feet, which is ample for our needs. The approximate cost of a building suitable for our requirements would be \$350,000.

The assessed value of the property which would be abandoned by the consolidation would be as follows:

|                                                          |                  |
|----------------------------------------------------------|------------------|
| Engine 4, 5 Bulfinch street, total assessed value.....   | \$100,000        |
| Engine 6, 24 Leverett street, total assessed value.....  | 40,000           |
| Ladder 24, North Grove street, total assessed value..... | 19,800           |
| Total.....                                               | <u>\$159,800</u> |

I would most respectfully urge your favorable consideration of this project as the first step of a comprehensive plan to relocate and house the Fire Department. If this plan is pursued I believe it will tend to reduce our fire losses as well as the cost of running the department.

Respectfully,  
E. C. HULTMAN, Fire Commissioner.

Ordered, That the sum of \$750,000 be and hereby is appropriated to be expended under the direction of the Fire Commissioner, for New Fire Station, West End District, and that to meet said appropriation the City Treasurer be authorized to issue from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Coun. McGRATH—Mr. President, I ask that that last order be laid on the table rather than referred to a committee, until the members of this Council have had an opportunity to look into the matter. It does seem to me that an order calling for an appropriation of three quarters of a million dollars deserves the consideration of every member of this body. Therefore, I would ask that the matter be laid on the table for one week.

Coun. GUILD—Mr. President, I cannot see what is to prevent the members of the Council making any investigation that they wish to make on the matter while it is in committee, in the usual course of business. I certainly can see no advantage in not referring it to a committee at this time.

Coun. KEENE—Mr. President, it occurs to me that a matter of this importance should be referred to a committee and that proper notice should be given to every member of the Council, also, so that we may all get at the facts more intelligently. It is, as my brother states, a matter of importance, requiring some care and attention; and I should think we could proceed with a little more knowledge by referring it to a committee than by simply laying it on the table at this time.

Coun. BUSH—Mr. President, I rise to a point of order, that the motion made was to lay on the table for one week.

Coun. McGRATH—Mr. President, if there is no objection, I will withdraw the motion, but in doing so would like to call the attention of every member of the Council to the fact that from the very time of the inception of this matter until the final vote is taken every step should be very carefully watched by all the members of the Council. When they are asked here to pay \$400,000 for some property worth perhaps half of that, it should serve as a warning to every member of the Council that from now on everything in connection with the matter should be watched very closely. I withdraw my former motion.

Coun. GREEN—Mr. President, I think this is a matter that would naturally be referred to the Committee on Finance, and if it is so referred I promise the councilor from Dorchester and each and every member of the Council that they will be entitled to be present with the committee and to be heard when the matter is taken up.

The order was referred to the Committee on Finance.

#### PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

##### Claims.

Beacon Garage, for compensation for damage to automobile by fire apparatus.

Simon Belson, for compensation for damage to property on Blue Hill avenue, caused by broken water main.

Alice A. Bemish, for compensation for expenses incurred in digging water pipes at 89 Pembroke street.



Max Berger, for compensation for damage to property on Blue Hill avenue, caused by broken water main.

Chester A. Birnie, for compensation for damage to automobile caused by city wagon.

Hyman L. Cohen, for compensation for damage to property on Blue Hill avenue, caused by broken water main.

Nathan Cohen, for compensation for damage to property on Blue Hill avenue, caused by broken water main.

Mary A. Conley, for compensation for damage to property on Blue Hill avenue, caused by broken water main.

Mrs. Edward F. Coughlin, for compensation for damage to clothing by catching on fence in Arnold Arhoretum.

Aubrey E. Cox, for compensation for damage to automobile which was commandeered by police.

Minnie Dare, for compensation for injuries caused by an alleged defect at 31 Tremont row.

Milton G. Eck for compensation for damage to automobile caused by an alleged defect at 862 Huntington avenue.

George Goodman, for compensation for damage to automobile by city car.

Arthur Gordon, for compensation for damage to property on Blue Hill avenue, caused by break in water main.

James Grammatick, for compensation for damage to automobile by City Hospital truck.

George M. Hodge, for compensation for damage to property at 44 Hudson street, caused by leak in water main.

J. L. King, for refund on building permit.

Morris Lewis, for compensation for injuries caused by street cleaning cart.

Francis L. Lombard, for compensation for damage to water boiler caused by shutting off water.

Agnes M. McGregor, for compensation for injuries caused by an alleged defect in Smith street, Roxbury.

Thomas McLaughlin, for compensation for injuries while working at pumping station, Dorchester.

John J. McManus, for compensation for injuries caused by an alleged defect in Warren street, Roxbury.

Delia A. Merriam, for compensation for injuries caused by an alleged defect at 427 Massachusetts avenue.

Henry L. Mersch, for compensation for damage to automobile by city cart.

John J. Moran, for compensation for damage to property at 151 Forsyth street, caused by city cart.

Margaret M. Murphy, for compensation for injuries caused by an alleged defect at Holton and Everett streets, Brighton.

Alfonsina Reppucci, for compensation for injuries caused by an alleged defect in Public Alley No. 103.

Sam Rosenberg, for compensation for damage to property on Blue Hill avenue, caused by break in water main.

Karl Schaefer, for compensation for damage to property on Blue Hill avenue, caused by break in water main.

Annie Schwartz, for compensation for damage to property on Blue Hill avenue, caused by break in water main.

Hyman & Samuel Schwartz, for compensation for damage to property on Blue Hill avenue, caused by break in water main.

William D. Simmons, for compensation for damage to automobile commandeered by police.

Harry Slomich, for compensation for damage to property on Blue Hill avenue, caused by break in water main.

Samuel Spector, for compensation for damage to property on Blue Hill avenue, caused by break in water main.

Michael A. Spillane, for compensation for damage to sidewalk at 10 Leamington road, caused by fire apparatus.

Standard Oil Company, for compensation for damage to truck at Boston City Hospital.

A. Steinberg, for compensation for damage to automobile by city cart.

Irving S. Stone, for return of fee paid for garage license.

Vincent Memorial Hospital, for compensation for damage to fence by ash truck.

Doris B. Ward, for compensation for damage to automobile by Boston Fire Department truck.

Julia J. Walsh, for compensation for injuries caused by an alleged defect at 79 Turner street, Brighton.

Elizabeth Welch, for compensation for damage to clothing at City Hospital.

Joseph A. Wieners, for compensation for damage to property at 1542 Columbia road, caused by break in water main.

Edward R. Williams, for compensation for damage to property at 108 Chelsea street, Charlestown, caused by leak in hydrant.

Lillian L. Crowley, for compensation for injuries caused by being struck by city truck.

Charles J. Burnham, for compensation for damage to automobile caused by defect in street on Atlantic avenue.

#### Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Anne Matilda Gurney, Huntington Chambers Hall, May 27.

Dorothy M. Oliver, Bloomfield Hall, June 10.

A. Marie Govone, Jordan Hall, June 3.

Madame Isabella Kay, Repertory Hall, June 6.

M. Theresa Connell, Jordan Hall, June 7.

Kathleen V. O'Hara, Jordan Hall, June 11.

#### Committee on Jitney Licenses.

Boston Elevated Railway, for license to operate jitneys between Prescott square and Lexington and Meridian streets, East Boston.

Petition of Boston Motor Tours to operate five motor vehicles from terminal at 12 Park square via Columbus avenue, Seaver street, Blue Hill avenue to Milton line.

#### Committee on Unclaimed Baggage.

Petition of Boston & Maine Railroad to sell at public auction unclaimed baggage and parcel room matter

#### MINOR'S LICENSES.

President HEFFERNAN submitted report recommending granting of minors' licenses to twenty-five vendors and twenty-four newsboys. Approved on usual conditions.

#### ORGANIZATION OF CITY PLANNING BOARD.

Notice was received of the organization of the City Planning Board by the election of Chairman, Frederic H. Fay; Acting Chairman, Mary A. Barr; Secretary, Elisabeth M. Herlihy.

Placed on file.

#### CHAIRMAN OF TRANSIT COMMISSION.

Notice was received of the designation by the Mayor of Thomas F. Sullivan as chairman of Transit Commission.

Placed on file.

#### CHAIRMAN OF BOARD OF ASSESSORS.

Notice was received of the designation by the Mayor of Edward T. Kelly as chairman of Board of Assessors.

Placed on file.

#### APPROVAL OF APPOINTMENT OF REV. ARTHUR T. CONNOLLY.

Notice was received of the approval by the Commissioners of Civil Service of the appointment of Rev. Arthur T. Connolly of 365 Centre street, Jamaica Plain, to be a trustee of Public Library.

Placed on file.

#### STREET RAILWAY POLICE.

Notice was received from the Boston Elevated Railway that they no longer required the services of twenty-eight men as listed as street railway police officers.

## BOSTON ELEVATED RAILWAY LOCATIONS.

Notice was received from the Board of Street Commissioners granting locations to the Boston Elevated Railway, as follows:

Twenty-second location, extension of time to April 18, 1928.

Forty-fourth location, extension of time to April 28, 1928.

Fifty-ninth location, righthand crossover on Meridian Street Bridge, East Boston, northerly of Nay street.

Placed on file.

## CONSTABLES' BONDS APPROVED.

The bonds of the following-named constables having been duly approved by the City Treasurer, were received and approved, viz.:

Theodore N. Bernson, Denis J. Collins, James S. Duval, George L. Gilbert, Alexander Goodman, Charles H. Jackson, Abraham Krinsky, John J. Levy, Cactano Lopes, Sidney J. Sheinfeld, Jeremiah A. Twomey, Max Wortsman.

## SIDEWALK ASSESSMENTS, ALDIE STREET.

A schedule was received from the Commissioner of Public Works assessing the owners of record of estates bordering on Aldie street, Ward 22, half east (amounting to \$4,126.43) of constructing edgestone and artificial stone sidewalks, same accompanied by following order:

Ordered, That the persons named in the foregoing schedule be and the same are hereby assessed the sum set against their names as their proportionate parts of the cost of constructing sidewalks and edgestones in front of their estates bordering on Aldie street, Everett street to Franklin street, Ward 22, and the same is ordered to be certified and notice be given to the persons as aforesaid.

Passed under suspension of the rule.

## LEAVE OF ABSENCE, CITY EMPLOYEES.

Coun. RUBY offered the following:

Ordered, That his Honor the Mayor be requested to grant leave of absence, without loss of pay, to all employees of the City of Boston who are delegated to attend the annual department encampment of the Veterans of Foreign Wars to be held in Holyoke, Mass., June 23, 24, 25 and 26, 1927.

Passed under suspension of the rule.

## CLOSING OF REGISTRY OF DEEDS.

Coun. BUSH offered the following:

Ordered, That the office of the Registry of Deeds be closed on week days, except Saturdays, at four o'clock p. m., from July 1 to September 2, 1927, inclusive.

Coun GUILD—Mr. President, I rise for information. I want to know what authority the Boston City Council has to fix the hours for closing the Registry of Deeds?

President HEFFERNAN—The Chair will state that the members of the City Council are the County Commissioners for Suffolk County, and therefore have the right to establish hours at the courthouse.

Coun. GUILD—Mr. President, it seems to me, then, that this order should refer to the City Council as County Commissioners, in order that it may be acted upon in that capacity.

President HEFFERNAN—The Chair will rule that that is not necessary.

The order was passed under suspension of the rule.

## REPAVING OF WINTHROP STREET.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to repave Winthrop street, Roxbury, with smooth paving.

Passed under suspension of the rule.

## ADDITIONAL ATTENDANTS, L STREET BATHS.

Coun. LYNCH offered the following:

Ordered, That the Park Commissioner, through his Honor the Mayor, be and he hereby is respectfully requested to provide additional attendants forthwith at the L Street Bath Houses.

Coun LYNCH—Mr. President, I am going to ask that this order be referred to the Executive Committee and that the Park Commissioner be notified to appear at the hearing.

The order was referred to the Executive Committee.

## SIDEWALK, M STREET AND MARINE ROAD.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk in front of 225 M street and around corner on Marine road, Ward 7, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

## SIDEWALK ON EAST COTTAGE STREET.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along the East Cottage street side of 164-168 Massachusetts avenue, Ward 7, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

## SALARIES OF MEDICAL EXAMINERS, SUFFOLK COUNTY.

Coun. WARD offered the following:

Ordered, That chapter 200 of the Acts of 1927 entitled "An Act Establishing the Salaries of the Medical Examiners and Associate Medical Examiners for Suffolk County" be and the same hereby is accepted.

Referred to the Executive Committee.

## SIDEWALK ON CUSHING AVENUE.

Coun. McGRATH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 51 Cushing avenue, Ward 13, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

## SIDEWALK ON MONTVIEW STREET.

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Montview street, both sides, Ward 20, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

## SIDEWALK ON MT. VERNON STREET.

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Mt. Vernon street,

both sides, Ward 20, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### REPAVING OF WASHINGTON STREET.

Coun. DOWD, offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Washington street, from Massachusetts avenue to Dover street.

Passed under suspension of the rule.

#### LEAVE OF ABSENCE TO CITY EMPLOYEES.

Coun. MAHONEY offered the following:

Ordered, That his Honor the Mayor be authorized to grant leave of absence, without loss of pay, to all employees of the City of Boston who are members of the Army Reserve Corps, the Naval Reserve Force, the National Guard, or the United States Citizens Training Camp, to attend the annual tour of duty or service school.

Passed under suspension of the rule.

#### IMPROVEMENT OF TENEAN BEACH.

Coun. GILBODY offered the following:

Ordered, That the Park Commissioners be requested, through his Honor the Mayor, to conduct a study of the needs of Tenean Beach, Dorchester, with a view to the making of immediate improvements there.

Coun. GILBODY—Mr. President, I desire to say a brief word in behalf of this order. Some few years ago there was an unexpended balance of \$18,000 from an amount that was intended to be used for Tenean Beach, but which was diverted to another part of the city. Since then no improvement has been made at the beach, and the bathing situation has become quite acute. We find one of our best beaches, the Savin Hill Beach, now being made an inland beach on account of the construction of the Old Colony boulevard. On the other side, the old Freeport Street Beach is going to suffer because of the construction of that boulevard. That will leave for the entire section of Dorchester, suitable for bathing purposes, practically only Tenean Beach. Therefore, I am introducing this order as a matter of foresight, to provide for future bathing facilities in the Dorchester district. I move, therefore, a suspension of the rule and the passage of the order.

The order was passed under suspension of the rule.

#### PUBLIC WORK TO RELIEVE UNEMPLOYMENT.

Coun. WARD offered the following:

Whereas, The Superintendent of the Massachusetts State Free Employment Bureau has publicly stated that industry is today at the lowest level in twenty-five years and that the workers of this section are today facing a depression never before equaled, be it and it is hereby

Resolved, That his Honor the Mayor be requested to appoint at once a committee to draft a program of public work for the relief of the unemployed who today suffer loss of work in consequence of industrial depression for which they are in no measure responsible.

Coun. WARD—Mr. President, I am referring to an article that appeared this morning in the Boston Post, and I wish to read it and have it inserted in the record:

"That industry is today at one of the lowest levels reached in the past quarter of a century was the announcement made yesterday by G. Harry Dunderdale, superintendent of the Massachusetts State Free Employment Bureau.

"Mr. Dunderdale's declaration was made before the delegates of the Boston Central Labor Union

at their meeting at Wells Memorial building during a discussion on the advisability of holding a Labor Day parade this year.

"He said, 'With more than 2,000 men and women applying for work each day at the Employment Bureau, and on an average of but one application for help for each twenty-eight men seeking work, and one position for each twenty-three women, organized labor, and for that matter all workers, are today facing a depression never before equalled.'

"He also pointed out that the boot and shoe industry is very spotty with some places doing little work and other places practically shut down. At the same time the textile industry, he declared, has not been as slow in twenty-five years as at the present time.

"Following a lengthy discussion, amid which many delegates stated that their organizations were not in sympathy with a parade, the meeting voted to have a committee investigate the advisability of having a demonstration of some sort on Labor Day."

I don't believe we are any worse off in Boston than in any other large municipality in the country. I have read articles showing that 2,000 farms in the West have been abandoned, and this sort of thing comes on the wave of the so-called "Coolidge prosperity." I believe the people walking the streets today are sick and disgusted with bearing the cry of "Coolidge prosperity." The West is suffering and New England industries are also suffering. With that thought in mind, I am presenting this resolution this afternoon, so that Boston may take the lead in this matter, with the hope that when Coolidge returns from his vacation there may not be business depression in the country.

Coun. GUILD—Mr. President, some months ago there was appointed by the City Council a special Committee on Unemployment in the City of Boston. That committee was made up of what I regard as some of the ablest men in the City Council. They have functioned well and have put in a great deal of time investigating the unemployment situation. It seems to me, having in mind the way in which this resolution is framed, that for us at this time not to recognize properly the function of that special committee of this Council and the work delegated to it, would be a direct reflection on the committee, and it is rather surprising to me that such a move should come from a member of the City Council itself. I certainly feel that the special committee we already have is fully capable of taking whatever steps are necessary in this city, so far as the Council is concerned, in the matter of investigating and recommending plans for city work, having in view the alleviation of the unemployment situation. For the reason that it is a reflection on that committee of the City Council, I am opposed to the resolution.

Coun. WARD—Mr. President, I have no objection to the matter being referred to that committee. I believe, however, that the councilor from Jamaica Plain has looked at this resolution in the wrong light. He, of course, I suppose, is standing up to defend the President who, I believe, is responsible for conditions in the country today. However, I have no objection to having the resolution referred to the Committee on Unemployment, of which I am a member.

The resolution was referred to the Committee on Unemployment.

#### SIDEWALK ON PARK STREET, WARD 17.

Coun. WILSON offered the order:

Ordered, That the Commissioner of Public Works make a sidewalk along Park street (south side), from Alpha road to Washington street, Ward 17, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### REPAVING SOUTHERN AVENUE.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave Southern avenue, Ward 17, with smooth paving.



## ACTION ON CONSTABLES.

Coun. WILSON—If it is in order, I would move at this time, Mr. President, to take from the table, under No. 9 on the calendar, the names of Barnet Levenbaum and Corrado Palladino, appointed constables by the Mayor on April 11.

(No. 9 on the calendar, which was on the table, and which includes the names referred to, is as follows:

9. Action on appointments submitted by the Mayor April 11, 1927, of the following-named persons to be Constables: John H. Brady, Thomas Cannizzaro, Barnet Levenbaum, Corrado Palladino, Maurice Rosenberg, Roman J. Vasil, Albert V. Walton, John F. Welch.)

President HEFFERNAN—Coun. Wilson moves that the names of Barnet Levenbaum and Corrado Palladino be taken from the table.

Coun. Wilson's motion was carried, and the question came on confirmation of the appointment.

Coun. McGRATH—Mr. President, I ask that those names be voted on separately, if there is no objection.

President HEFFERNAN—We will first vote on the name, taking them in order, of Barnet Levenbaum.

The question came on confirmation, Committee, Coun. Wilson and Englert. Whole number of ballots 19, necessary for confirmation 10; yeas 7, nays 12, and the appointment of Barnet Levenbaum was declared rejected.

Coun. GILBODY—Mr. President, I would like to speak to a point of personal privilege at this time, with unanimous consent of the Council.

President HEFFERNAN—If there is no objection, the councilor may proceed.

Coun. GILBODY—Mr. President, taking the entire group in which these names set forth in No. 9 have been intermingled, we have had a great deal of hullabaloo and howdydo about the whole constable situation in Boston. With the situation as it is today, the proper way to act, in my opinion, is to reverse the entire action of the Executive Committee and rethresh the matter out, because there has not been a report to the body of the facts as arrived at by the subcommittee as the result of its investigation, and there is not a complete understanding of the situation by the entire Council. A partial report has been received, and all the members of this body should know what the situation in regard to these different gentlemen is. The subcommittee of five undoubtedly have their reasons for the action they have suggested, and probably there were many reasons for holding up some of these men. But the majority of us were not on the committee and have not had an idea of what has happened. Neither have we had a report. Therefore, I am going to ask, if in order, that further action on this matter be referred to the Executive Committee.

President HEFFERNAN—The Chair will rule that the motion is out of order, the Council having voted to take the names from the table and proceed to the question of confirmation of the appointments.

Coun. GILBODY—Theu, Mr. President, I move a reconsideration of the action we have taken; and, speaking briefly on the motion—and I only speak as I do at this time because there has been so much hullabaloo about the whole thing, so much in the press and otherwise—because I feel that we ought to do something constructive in this connection.

President HEFFERNAN—Coun. Gilbody moves reconsideration of the vote taken on the appointment of Barnet Levenbaum.

Coun. Gilbody's motion to reconsider was carried.

Coun. GILBODY—Mr. President, I now move a reconsideration of our vote to proceed with the confirmation of these two men as constables, Barnet Levenbaum and Corrado Palladino, and that the names be referred to the Executive Committee.

Coun. RUBY—Mr. President, I would further move to amend that motion by moving that No. 8 and No. 9, as a whole, be referred to the Executive Committee.

No. 8, which was also on the table, is as follows:

8. Action on appointments submitted by the Mayor April 11, 1927, of the following-named persons to be Constables: Carleton N. Baker, Morris Berkman, Jacob Berman, Thomas A. Brannely, Eugene F. Canney, Nathaniel M. Clark, Barney DeLuca, Saverio DiDonato, John E. Downing, William L. Frost, Remy Goduti, Hugh F. Kiernan, William H. Kivlan, William J. Lally, John F. Laundry, Calvin E. A. Mackenzie, Edward

J. McTiernan, Edward F. Murphy, William F. O'Connell, John A. Packard, Frank J. Penney, Howard W. Pinn, George M. Potter, James P. Rosenfield, Herbert D. Sawyer, Benjamin Schmetzer, Arthur W. Wade.

Coun. GILBODY—I am agreeable to that, Mr. President, and I wish to say just a word upon it. I trust that the subcommittee of the Executive Committee will make a report today, so that we can dispose of the entire list now hanging fire on the calendar.

The Council voted to refer and take up Nos. 8 and 9, which were on the table, to the Executive Committee.

## STANDING PASSENGERS IN BUSES.

Coun. DOWLING—Mr. President, the Council has before it a report of the Committee on Ordinances with reference to the petition of the Boston Elevated Railway Company for increasing the number of passengers carried in buses. I believe that matter is now on the table in the Council. It has been called to my attention that the Elevated officials have one or two matters which they want to present to the committee in connection with their petition, and I move you sir that the matter be taken from the table and referred to the Executive Committee and that the Executive Committee be directed to inform the Elevated officials that they will be heard this afternoon.

President HEFFERNAN—Coun. Dowling moves that No. 5 on the calendar be taken from the table.

The Council voted to take No. 5 from the table, viz.:

5. An ordinance concerning passengers carried in motor vehicles.

Be it ordained, etc.

Chapter thirty-nine of the Revised Ordinances of 1925 is hereby amended by striking out section one hundred and one, and inserting in place thereof the following:

Section 101. The license issued for each motor vehicle shall fix and specify its seating capacity, exclusive of the operator. Passengers in excess of twenty-five per cent above the seating capacity of such motor vehicle shall not habitually be carried. Whenever the number of passengers regularly applying for transportation exceeds the number hereinbefore provided for it shall be the duty of the licensee to furnish sufficient additional facilities to carry such passengers. No person operating or in charge of any such vehicle shall take on or suffer or permit more persons to ride or to be carried thereon at any one time than is authorized by this section, or permit any person to stand or sit upon any running board, steps, fender, dash or hood thereof, or permit any person to ride on such motor vehicle outside the body thereof; provided, however, that in addition to the number of passengers which said motor vehicle by the terms of this section is permitted to carry, children under seven years of age may be carried therein, in arms, or seated on the laps of adult persons accompanying them, but no passenger with a child in arms or seated on the lap shall be permitted on any front seat of the vehicle.

Coun. DOWLING—Mr. President, I move that that be referred to the Executive Committee.

Coun. WILSON—Mr. President, with reference to the last motion, I personally opposed this ordinance when it was introduced, and it was then given to the Committee on Ordinances to hold a public hearing. The public hearing was held, at which time a representative of the Elevated appeared. Perhaps my brother on the Ordinance Committee can tell us something with reference to what the Elevated Railway Company proposes to introduce this afternoon. I thought they had had their day before the Committee on Ordinances, and I see no particular reason for postponing action on this particular order. Has the chairman of the committee any knowledge as to what the Elevated information is to be this afternoon in addition to what they have already presented?

Coun. DOWLING—No, Mr. President, I have no information from the Elevated in this connection, and I have no connection with the Elevated Railway. The only connection I have with them is when I have occasion to give them 10 cents on such occasions as I ride in one of their cars. I don't know what additional information they want to present, but I thought I would call the attention of the Council to the fact that, as I under-

stand it, there is additional information that they would like to present. Of course, if any member of the Council thinks he can pass on such matters with scant or little information, he can do as he chooses; but I do think, in justice to the Elevated, they not having apparently presented their full case, there should be no objection to their being heard this afternoon.

Coun. RUBY—Mr. President, this is one of the matters in reference to which a public hearing was given, and at which hearing the Boston Elevated was represented. At that public hearing there were some objectors who appeared, one woman particularly whom I recollect, on Adams street, where a bus runs daily, who came in and strongly objected. The representative who appeared for the Elevated was permitted to answer all questions before the committee and to present any information he desired to present. The same opportunities were given to him as was given to representatives of the public. There was information given to us by the representative of the Elevated,—as we understood, a complete statement of the facts was given us by the gentleman who represented the Boston Elevated. I think at that time, if there had been any intimation that the Elevated would like to furnish more information and an opportunity to do so had been asked for, there is no doubt but what the committee would have adjourned the hearing for that purpose. Speaking in fairness to the committee and in fairness to those who appeared on behalf of the public, I do not believe that at another executive session any more information can be obtained from the Boston Elevated than we obtained at that time. We were told about the capacity of the buses, the height of those buses, and after getting all that information at that time the Committee on Ordinances took a vote, and their action has been brought in here. I am in favor of taking the matter from the table at this time and voting upon it, but I am not in favor of referring it again to the Executive Committee for further information from the Boston Elevated, because I, for one, as a member of the Committee on Ordinances who voted against the granting of the request at that time, feel that I have received enough information from them. I, for one, am ready to vote on this question today.

Coun. WARD—Mr. President, I happen to be a member of the Committee on Ordinances, although I was not able to be present at the time of the hearing. A report was made, however, on what was said there, and I have that report before me. It seems that the hearing was advertised in every newspaper in Boston and that there were only four people out of 700,000 people in the City of Boston who cared to go before that committee and voice any objection. I will just read a few words of Walter E. Jackson, I believe known as "Stone-wall Jackson." He said:

"I am here just the same as my friend Walker, objecting to standing up in these buses, and representing the Codman Square Improvement Association. I don't want to say anything more than my friend Walker has already said. I appear in objection.

That was the statement of one of the four who appeared before the Committee on Ordinances. If the Boston Elevated can come before us in public session this afternoon and convince us of the public necessity of people standing in the buses, I for one want to hear them.

Coun. McMAHON—Mr. President, my brother councilor does not at present come from a section where they use buses, but it is going to be only a short time when the section I represent, as well as many other sections of Boston, will have practically nothing to use but buses, and some of the members of this Council may not realize the feeling there is in regard to buses in sections where they are commonly used. If anyone cares to have a public demonstration of the feeling in regard to buses on the Elevated, let him go into a number of sections of this city and hire halls and invite people to come and state things in regard to the matter. He will then hear expressed in no uncertain language the objection that there is to these buses. But it is the same old story, where you have hearings down here. If you will advertise and hold hearings in the sections where the people live, people who have occasion to use the buses in districts where they are running, I don't think you will find a hall big enough to hold the people in Dorchester, for example, who would protest against the present situation. I do not at present have any buses in my ward, but they do have

them in adjoining wards. The councilor should step out some night and take a trip up Adams street, standing up in a bus, and then he would get some idea of the objections that the people who ride in those buses have. I think the Elevated has had enough opportunity to present its case at a hearing.

Coun. BUSH—Mr. President, I have no objection to voice at this time in regard to buses running in my district, but I do feel that the Elevated has had an ample opportunity to be heard before the Committee on Ordinances, and that to allow special consideration such as is now proposed would be unfair to the public who appeared at that time in opposition to the ordinance. It seems to me that this should not be referred back to the Executive Committee and the Elevated given further consideration, being allowed to present their case at greater length. If they had any facts that they wished to present, facts which must have been in their possession then as they are now, they should have presented those facts at the original hearing before the Committee on Ordinances. I think it would be utterly unfair at the present time to allow them special consideration in the way of presenting further facts, without an opportunity for cross examination being allowed to the public generally.

Coun. KEENE—Mr. President, I move that we take a recess, subject to the call of the Chair.

Coun. DOWLING—Mr. President, I believe there is a motion before the house.

President HEFFERNAN—There is a motion before the body to refer to the Executive Committee, and so the other motion is out of order.

Coun. McGRATH—Mr. President, I move the previous question.

Coun. GILBODY—Mr. President, I do not propose to discuss the merits of the proposition here, because, as the Council knows, I am firmly and positively opposed to the proposition. However, although the record shows that only four people voiced their objection at the hearing, I think the gentleman who spoke forgets the fact that he represents 37,700 people in Roxbury, and the fact that a larger number of them did not show up here is probably not because they were not interested but because they did not think it was necessary, as they felt that he would protect their interests. I know that the people of my ward would not think it was necessary for them to come, because they would feel that I would stand up here and record their opposition to the proposition. On the other hand, however, while I am a firm opponent of what is proposed here, I would give any man, woman or child an opportunity to appear here in the Council and voice their views prior to the passage of a vote in the body. I think if anybody wants to be heard an opportunity should be given to him to be heard before the taking of a vote in the body.

The motion to refer to the Executive Committee was lost.

President HEFFERNAN—The question now comes on the passage of the ordinance.

Coun. RUBY—Mr. President, with reference to the general question, my good friend, the councilor from Ward 9 (Coun. Ward), read what a certain Mr. Jackson had to say with reference to his objection. I am going to ask the Council to bear with me and see what Mrs. Ward had to say in objecting to the proposed ordinance. This was Mrs. Mary E. Ward, of 910 Neponset avenue. Chairman Dowling asked her to state her objections. Her answer was:

"I object very much to any woman being subjected to this sort of thing. The previous speaker talked about the men. I would like to talk about the women, mothers and would-be mothers, those with children and grandchildren, who object very much to females having to stand in the buses, in Somerville, Cambridge or elsewhere. I know that the Elevated is getting money enough to provide the proper number of buses for the people. If it is only a question of allowing six or seven additional to stand in a bus, why not put on another bus? In Dorchester, my district, we are building up very rapidly. I was on a committee that waited on Mr. Dana. Mr. Dana said that the buses were not built to allow any passengers to stand, the buses going out on the Adams street line."

That is the district she comes from.

"If this ordinance goes through, it means that you will have women standing. I don't know about women having a better understanding than men, but certainly the men wear larger shoes and



take up more room. I think we should have more buses so that there would be no necessity for anybody standing up. I got a very bad spill in an Adams street bus, in one of the streets, because I had to stand up and some foreigner rushed by me. I think the previous speakers should have taken into consideration the present mothers and the future mothers, in connection with this matter."

I asked Mr. Muleahy, who represented the Elevated at that time, if it would be possible for a person conveniently to stand in a bus, in the aisle, and have somebody go by him, and he answered that such a person would have to squeeze by. Then a question was asked, I think by the chairman, in regard to the height of the bus, the inside height, and Mr. Muleahy stated that from the floor to the ceiling of the bus was either 6 feet or 6 feet 3 inches, and that a person of ordinary height might have a tough job standing in the bus. He said that a person 6 feet in height or over might not want to stand in the bus, but that he had a very good alternative by waiting for a bus upon which he could get a seat. I think if that is the kind of an answer we get from a public utility official we ought not to grant that kind of privilege, where conditions are not as suitable for some individuals as for others. I am not arguing for myself in this matter, because I can stand in a bus without the possibility of hitting my head going over jouncees in some of the streets we have in Dorchester. But I believe, on Mr. Muleahy's statement, we ought not to grant this request. Every other request of the Elevated, in reference to jitneys and other matters, has been granted by the Council, but I do think that this is a matter which concerns the health and safety of the public. I think, in order to protect the public, it is our duty to oppose the granting of a permit to stand in all kinds of buses such as we have in our streets of Boston today.

Coun. McGRATH—Mr. President, I think in this matter one of the people we should have called before the committee is the Health Commissioner of Boston. I believe that this is a health menace, and I also think it is a menace to the morals of the women of our community when you ask them to ride in buses crowded the way these buses are. This request is typical of the Boston Elevated Railway. It says "passengers in excess of 25 per cent above the seating capacity of such motor vehicle shall not habitually be carried." That is, on 30, 40 or 50 per cent of their trips they may carry an additional number, as long as they do not do it "habitually." As long as it is not done "habitually," the driver can allow them to get on. Then it says, "whenever the number of passengers regularly applying for transportation exceeds the number hereinbefore provided for it shall be the duty of the licensees to furnish sufficient additional facilities to carry such passengers." Who is to pass on that? And then they show a splendid, charitable spirit, an intention to carefully look out for the people on Adams street and in other sections, when they say that no person operating such vehicle "shall take on or suffer or permit more persons to ride or to be carried thereon at any one time than is authorized by this section, or permit any person to stand or sit upon the running board, steps, fender, dash or hood thereof, or permit any person to ride on such motor vehicle outside the body thereof." They are not going to let people ride on the fender or hood. Think of it. The hood is going to be left free, so that the man driving can look over the hood without any person interfering with his view. And they are not going to permit any person to ride outside the body of the vehicle. Wonderful! Wonderful! This is certainly a charitable organization. And it says, in addition to that: "Provided, however, that in addition to the number of passengers which said motor vehicle by the terms of this section is permitted to carry, children under seven years of age may be carried therein, in arms, or seated on the laps of adult persons accompanying them, but no passenger with a child in arms or seated on the lap shall be permitted on the front seat of the vehicle." So you see how closely they are guarding the public. You see, they are not going to allow any habitual overtaxing of the vehicle. Once in a while they may carry 50 per cent more in a bus than can be accommodated by the seats, and they are going to allow women with children in their laps, but they are going to be charitable enough and careful enough of the public to leave the fenders and hoods without passengers.

Mr. President, I must vote against this ordinance, and I feel especially, having these charitable suggestions in mind, that I must vote against this public-spirited measure.

Coun. GUILD—Mr. President, the ordinance as drawn reminds me a good deal of a sign in the courthouse of Dover, New Hampshire, in three languages, which says that "People who spit on the floor will be severely dealt with." This ordinance does not tell us at all what is going to happen if the licensee fails in his duty of providing sufficient additional facilities,—whether he is going to be severely dealt with, fined \$100, or sent to jail. We are not informed. The ordinance as drawn has already been commented upon by the last speaker, referring to the word "habitual" and to other provisions of it. That language only shows the additional weaknesses in the ordinance as drawn. While ostensibly the limitation of standees is to be to 25 per cent of the seated occupants of a bus, it does not necessarily follow that that will be the limit, taking the language of the ordinance as drawn. Certainly it would seem that they are not to be prevented from exceeding that 25 per cent limit, having in view the clauses referred to by the councilor who has just spoken; and the last clause in this draft would seem to give women holding children in their arms at least a debatable right to go in and stand up. It seems to me that this ordinance has been drawn in a very careless manner for presentation to this body, if they really wished and intended to achieve a certain object. It is so full of technical objections, that must be clear to anybody, that I cannot see how the members can vote for it.

Coun. DOWLING—Mr. President, after all the brilliance which has been shown by the remarks of the gentleman on the extreme left, and the lack of information possessed by the gentleman from Ward 14, it does not seem to me necessary to make any lengthy argument in favor of this ordinance. The Council has already gone on record as not wanting further information in reference to the petition. It is true, sir, that the Committee on Ordinances gave a hearing on the petition. It is also true that four people out of 700,000 were sufficiently interested in the matter to come before the committee and express their objection. It is true that one gentleman representing the Elevated, and probably paid for his services, came and presented the Elevated situation. It is also probably true that no member of the Council is less familiar with the bus situation, so far as experience in riding in buses is concerned, than myself. I have never yet ridden on an Elevated bus. There are, however, three lines of Elevated buses operating in the district I represent. One operates between Faneuil and Union square, Allston; another runs between Union square, Allston, and Union square, Somerville, and the third operates between Union square, Allston, and Central square, Cambridge. I inquired this afternoon and received information as to the number of bus lines that the Elevated operates in the city. I understand that about eighteen bus lines are in operation. I was told that the longest journey on an Elevated bus would be about eighteen minutes, going between the extreme ends of routes, and certainly in the case of the Allston lines connecting with Central square and with Union square, Somerville, the length of the run would probably not be over nine minutes. So, in any event, it is not trip as long as that which Lindbergh took. It is a short journey. I certainly cannot imagine why the Council does not want some information on the matter. There is, to my mind, nothing unreasonable in the request of the Boston Elevated, because already, sir the Department of Public Utilities which has general supervision over this matter, has passed a regulation which allows a 25 per cent overload. The cities of Somerville, Cambridge and Medford, and other cities and towns, have allowed it. I asked this morning, in view of the fact that the Department of Public Utilities has already granted the 25 per cent overload privilege, why this ordinance had been brought into the City Council, asking this permission, and I was told that it was a matter of courtesy, and brought in here on that account, although they believe that they do have this right under the regulation of the Department of Public Utilities. In any event, this is not a matter to make a great hue and cry over, and it should not be greeted with ridicule. It is a perfectly reasonable proposition. You and I, sir, might be waiting at any point where a bus line runs, waiting for a



bus to come along. It might be a bus accommodating twenty-nine seated passengers and there might be one vacant seat, and either you or I would have to be left behind because they could not carry one more than the number for whom seats could be provided. We would certainly consider it a hardship if we were not allowed to get on. So it seems to me that much of the ridicule here has not been warranted, and I hope this Council will not reject this proposed amendment to the ordinance.

Coun. BUSH—Mr. President, I happened to be present at that meeting of the Committee on Ordinances and had the pleasure of hearing a few questions asked of Mr. Mulcahy. With reference to what has been said by the gentleman from Brighton with regard to certain towns having accepted this ordinance, let me say that Mr. Mulcahy was asked these questions by Coun. Wragg:

"Coun. WRAGG—I would like to ask about the Malden and Everett situation.

"Mr. MULCAHY—We don't operate in Everett.

"Coun. WRAGG—Malden.

"Mr. MULCAHY—Malden has not passed it.

"Coun. WRAGG—But the Council now is considering it?

"Mr. MULCAHY—No, they turned it down."

That is one of the phases of the situation. In another part of Mr. Mulcahy's testimony he said:

"What we have asked for is that we may take on a bus standing passenger to the extent of 25 per cent in excess of the seating capacity. Our ordinary buses carry twenty-five and twenty-nine passengers, and where they carry twenty-five that would mean six additional people, and in the case of twenty-nine, seven additional people."

If that is their intention, why do they place this specious phraseology in the ordinance? The ordinance says:

"Passenger in excess of 25 per cent above the seating capacity of such motor vehicle shall not habitually be carried."

What does that mean?

Coun. DOWLING—Mr. President, if the gentleman will yield for just a moment, the probable reason for that—and I have no connection with the Elevated, no sympathy with them, no interest at all personally in them, have never worked for or been employed by them—but the reason probably is because it follows a regulation framed and adopted by the Department of Public Utilities. That is the probable reason why they used that term.

Coun. BUSH—Yes, but what does "habitually" mean? Does it mean that on Monday they may carry exactly 25 per cent of the seating capacity as standees, and that on the other days they may carry 40 per cent of the seating capacity as standees? There is nothing that will limit them to 25 per cent. The ordinance, broadly and liberally interpreted, might allow them to carry 200 or 300 per cent of the seating capacity of the bus, as standees, if the occasion should arise. There is no limit necessarily in the ordinance. This phraseology is very misleading and certainly with the present phraseology I should not vote for the ordinance.

Coun. WILSON—Mr. President, referring to the remarks of the chairman of the Ordinance Committee and the refusal of the members of the Council to receive from the Elevated further information in regard to this matter, my understanding of the situation is this, that this ordinance when it originally came into the body was referred to the Committee on Ordinances, and a public hearing was held, and this evidence was presented. At that time I understand that more than four people were present, although I believe four did speak. There were at least two who represented an organization consisting of 200 or 300 business men. However, had not one single member of the public been present, in my opinion the Elevated would have failed to prove its case on the evidence of its own representative alone. If the only man in the room before the committee was the representative of the Boston Elevated, in my opinion they would have failed to prove their case to the satisfaction of most of the members of the committee, would have failed to logically prove their contention that the ordinance should be changed, because it was clear from the testimony of the attorney for the Elevated himself that he felt that if a man 6 feet or over stood in one of those buses he was taking a chance and in case of injury would be guilty of contributory negligence. Mr. President, I certainly feel that I must vote against

this ordinance because of the jokers contained in it. Coun. McGrath has well pointed out the presence of the word "habitually," and, in response to Coun. Bush's question as to what the words "habitually be carried" mean, I would venture the suggestion that it would be at any time when an inspector was not aboard the bus. Another phrase here is as follows:

"Whenever the number of passengers regularly applying for transportation exceeds the number heretofore provided for, it shall be the duty of the licensee to furnish sufficient additional facilities to carry such passengers."

In other words, we have here the words "regularly applying for." Those words are significant. In addition, as Coun. Guild has pointed out, there is no penalty for breaking this ordinance. In view of the three jokers in the ordinance which are so plain to the eye even from a casual reading, I would be against the ordinance if there had not been a public hearing, if nobody representing the public were present, and if the Elevated had proved its case, which I believe it did not do.

Coun. WARD—Mr. President, about twenty-five years ago, I suppose, when electric cars were first run through the streets of the city, there was a great hue and cry sent up to the effect that nobody should stand on the running boards. But I remember, as a boy riding on street cars, that I wanted to ride on the running board. One point not emphasized here, it seems to me, when you are dealing with the convenience of 700,000 people of Boston, is the fact that some of those people may want to ride, even if there is not a seat, in order to get to and from their homes, instead of waiting for other conveyances. The gentleman from Dorchester has spoken about health, saying that it would be a menace to health. If you are going to prohibit six passengers from riding in a bus, standing, because of health conditions, for God's sake why do you allow your cars here in Boston to be choked up with standing passengers? If the health of the people is important in the one case, why is it not important in the other? And if it is a health problem, why not investigate it from the health standpoint? I have no especial feeling for the Elevated, but in the old days it was the popular thing to take a shot at Harvard College, and now it seems to be a popular thing to take a shot at the Boston Elevated, if you want to be elected to public office. I don't believe in that sort of thing. There was no necessity for shooting at Harvard College in the old days, and that has now passed by, and neither is there any sense in shooting at the Boston Elevated today, unless you have good reason for doing so. I hope this ordinance, as reported by the Committee on Ordinances and as it appears before us today, will be passed. It is a matter that was carefully looked into by the members of the committee, who know more about it than the other members of this Council, and this ordinance has been reported to us after a hearing and careful study. The members of the committee felt, after hearing the arguments that were presented, that it should be enacted as an ordinance, because of public necessity and because of the importance of such a regulation, particularly in inclement weather. I am going to vote for the ordinance, because I believe it is in the interest, on the whole, of the 700,000 people of this city, that they should be allowed to ride in a bus, even if they must stand, if they wish to do so, particularly where the limit of the ride is probably only three or four miles.

Coun. GILBODY—Mr. President, the transportation situation has been most ably reviewed by the distinguished gentleman from Roxbury, but my point of view is opposite, in view of the fact that two wrongs do not make a right. I think if twenty-five years ago there had been an insistence on furnishing seats to people in trolley cars, people going to and from their labors in rush hours, and if such a regulation had been in force, people would have had a seat in the cars, that the Elevated would have been forced to run enough cars to furnish room for people to sit down. Looking to the future, to my mind in a few years there will probably not be a trolley car operating in the city. The situation is working around continually to buses. We ought now to take steps to provide for the future, and not permit the present unwise condition in the transportation system of this community to be maintained. Let us not continue to be hoodwinked in the future as we have been in the past in this trolley situation. Don't let them fill up the buses with standee passengers. I know what the situation is, because one of the most

prominent bus lines is in my ward, and we know what we are getting and what we have to contend with out there. Of course, Mr. President, the same thing must be true in your ward, out in Brighton, in connection with your bus lines. Furthermore, it is planned that we shall give them permission to put six or seven more people in the buses, according to capacity. There is nobody to shut them out. A man running a bus is so busy watching traffic that you can't expect him to keep an eye on the capacity of the bus. All he can properly do is to watch the traffic, to watch the street, to look out for the management of the bus while he is traveling along the street. He certainly has not time to turn around and count how many people are standing in the bus. I feel that it is against public safety to permit this sort of thing to be done, to have a condition which will necessitate a man driving a bus of this kind turning around to see what the conditions are and taking his eyes off the road. The only thing a man operating a bus should watch is the traffic on the road. If we give them permission to have standees on the buses, also, the first thing we know they will be cutting down on their schedules, filling up the buses, with the result that they will say, "We don't need so many buses there, and we will take some of them off." The result, as I say, will be that the standee ordinance will allow a reduction in the number of buses which will be run. If it is true, as the chairman of the Committee on Ordinances has said, that they did not have to come in here for this ordinance, why in heaven's name have they come in here at all? Let me assure the Council that they certainly did not come in here as a matter of courtesy. They came because they knew they had to come in here. Every newspaper in Boston has pointed out the danger of having standees on the buses. Malden has not given permission for them to have standees on the buses, and I have correspondence to prove it. Medford has not, Cambridge has not. I have correspondence to substantiate my statement, Mr. President. I am going to ask the Council to vote to refuse this standee ordinance. We are all losing sight of the fact that it is not men only who are concerned. One of the ladies who appeared before the committee said:

"I object very much to any women being subjected to this sort of thing. The previous speaker talked about the men. I would like to talk about the women, mothers and would-be mothers, those with children and grandchildren, who object very much to females having to stand in the buses, in Somerville, Cambridge, or elsewhere.

I am going to ask the Council to remember the women who ride in the buses—young women and old women, mothers and future mothers. Don't forget that this is not simply a question of whether there are large men or small men who want to ride.

Coun. FREELEY—Mr. President, being a member of the Jitney Committee for the last two years I might state that I have studied jitney conditions very thoroughly. This year I had occasion to listen to Mr. Dana at a committee meeting, stating the reason why he thought a 25 per cent overload should be granted to the Boston Elevated on these buses. I might inform the Council that I have occasion to ride on jitneys from Cambridge and Somerville, frequently. I might also say that I have seen deplorable conditions at Kendall Square Station, where many people, including some of my own constituents, have to stand at times in inclement weather, because they are not allowed to get on buses. I might also add that in Coun. Ward's district there was a concern, running for practically a quarter of a century, known as the Boston Belting Company. Many people in my section have received their livelihood from the Boston Belting Company. They had the misfortune to go out of business some five or six years ago, and went to the handiest place, the Boston Woven Hose Company, in Cambridge, and most of the Roxbury people who were working for that company have had to go back and forth between Roxbury and Cambridge since. I have made a point of familiarizing myself with conditions, and I think I know the conditions as well as anybody. Because of the fact that this overload has not been permitted, because of the fact that passengers have not been allowed to stand, I and others have had to stand there waiting, not being allowed to ride on a bus, and I know that that has been the cause of a great deal of inconvenience and injury to many people. I believe that the Elevated is entitled to a 25 per cent overload on those buses. I have had seven or eight cases called to my attention where people

have been disciplined because they have been late, not being able to get to their place of business in time, and I have been informed of cases where people in Roxbury have lost their jobs because of the mere fact that they have been late three times in one week, and have been therefore discharged. There has been a great deal of inconvenience and a great deal of injury done to people who work in candy factories and other companies over there. I have had occasion myself to stand for twenty minutes on a rainy morning waiting for a bus where I could get a seat, and having the motorman deliberately slam the door in my face when the seating capacity was taken up. There is also the difficulty of running into different regulations in one city from what you find in another. As a matter of fact, some of these outside towns are waiting to see first whether Boston will grant the desired permission. In this case both Somerville and Cambridge have taken the jump on Boston and have granted this right to the Boston Elevated. In view of the discussion we have had on this matter, I would now move that the matter be laid on the table for one week.

President HEFFERNAN—The Chair would rule that it has just been taken from the table, and that the motion is not now in order.

Coun. GUILD—Mr. President, I move the previous question and ask for a roll call.

The main question was ordered, and the question came on the passage of the ordinance.

President HEFFERNAN—The Clerk will call the roll.

Coun. ENGLERT—Mr. President —

President HEFFERNAN—For what purpose does the gentleman rise?

Coun. ENGLERT—I would like to ask the gentleman from Roxbury if people, when a bus is full, have to wait, perhaps a half an hour, before they have a chance to get on the next bus?

Coun. FREELEY—Yes.

President HEFFERNAN—No debate is in order. The Clerk will call the roll.

The ordinance was rejected, yeas 6, nays 12:

Yeas—Coun. Arnold, Dowd, Dowling, Freeley, Ward, Wragg—6.

Nays—Coun. Bush, Englert, Gilbody, Guild, Heffernan, Lynch, Mahoney, McGrath, McMahon, Parkman, Ruby, Wilso—12.

#### EAST COTTAGE STREET AS ONE-WAY STREET.

Coun. LYNCH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to designate as a one-way street for southbound traffic East Cottage street, from Columbia road to Pleasant street, Ward 7.

Passed under suspension of the rule.

#### POND STREET AS ONE-WAY STREET.

Coun. LYNCH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to designate as a one-way street for northbound traffic Pond street, from East Cottage street to Columbia road, Ward 7.

Passed under suspension of the rule.

#### ENFORCEMENT OF PARKING REGULATIONS.

Coun. DOWD offered the following:

Ordered, That the Fire Commissioner, through his Honor the Mayor, be requested to inform the City Council what steps, if any, are being taken to enforce parking regulations, which will permit the Fire Department to operate efficiently upon the streets of the city.

Passed under suspension of the rule.

#### REPAVING BROADWAY, SOUTH BOSTON.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor,



to repave Broadway, South Boston from L street' to Farragut road, with smooth pavement.  
Passed under suspension of the rule.

#### SIDEWALK ON SACHEM STREET.

Coun. FREELEY offered an order:

Ordered, That the Commissioner of Public Works make a sidewalk along Sachem street, from Hillside street to Calumet street, both sides, Ward 10, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### STORAGE AND SALE OF GASOLINE.

Notice was received from the Street Laying-Out Department of hearings on petitions for storage and sale of gasoline, to be held as follows:

June 13.

Joseph Burke, 30 Hallett street, Ward 16, 2,000 gallons.

Capitol Tire and Rubber Company, 143-147 Berkeley street, Ward 5, 2,000 gallons.

Cornelius P. Cotter, Jr., *et al.*, 1891 Columbus avenue, Ward 11, 2,000 gallons.

Kenmore Realty Company, 255 Adams street, Ward 15, 3,000 gallons.

John D. Lyons, 976 Washington street, Ward 17, 3,000 gallons.

Elias S. Maloof, 4873 Washington street, Ward 20, 2,000 gallons.

June 20.

Hanley Snow Company, 191 Talbot avenue, Ward 14, 2,000 gallons.

Packard Motor Car Company of Boston, 1089 Commonwealth avenue, Ward 21, 1,000 gallons.

Standard Oil Company of New York, 36 Wolcott street, Ward 18, 12,100 gallons.

Referred to the Executive Committee.

#### RECESS.

The Council voted at 4 p. m., on motion of Coun. ARNOLD, to take a recess subject to the call of the Chair.

The members reassembled in the Council Chamber and were called to order by President HEFFERNAN at 5.07 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following:

1. Reports on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, that leave be granted under usual conditions, viz.:

Anne Matilda Gurney, elocution recital, Huntington Chambers Hall, May 27.

Dorothy M. Oliver, Bloomfield Hall, June 10.

A. Marie Govone, Jordan Hall, June 3.

Madame Isabella Kay, Repertory Hall, June 6.

M. Theresa Connell, Jordan Hall, June 7.

Kathleen V. O'Hara, Jordan Hall, June 11.

Reports accepted; permits granted on the usual conditions.

2. Report on orders (referred May 23) for a payment to James O. Jordan, and accepting chapter 79 of the Acts of 1927,—that the same ought to pass.

Report accepted; said orders passed.

3. Report on order (referred May 23) that an annuity of \$600 be allowed and paid to the widow of Daniel T. McInnes, late member of the Fire Department,—that the same ought to pass.

Report accepted; said order passed.

4. Report on order (submitted by the Mayor and referred today) that the Commissioner of Public Works be authorized to expend a sum not exceeding \$6,000 for the purpose of furnishing ice for the public drinking fountains during the present season, said sum to be charged to the Reserve Fund,—that the same ought to pass.

Report accepted; said order passed, yeas 20, nays 0.

5. Report on order (submitted by the Mayor and referred today)—that the sum of \$15,000 be and hereby is appropriated from special fund, sales of city property, for new fire station, Engine 17 and Ladder 7, Dorchester,—that the same ought to pass.

Report accepted; said order passed, yeas 20, nays 0.

6. Report on order (referred today) that chapter 200 of the Acts of 1927, entitled "An Act establishing the salaries of the Medical Examiners and Associate Medical Examiners for Suffolk County," be and the same hereby is accepted,—that the same ought to pass.

Report accepted; said order passed.

#### PLAYGROUND, WARD 3.

Coun. GREEN, for the Committee on Finance, submitted report recommending the passage of an order for a loan of \$250,000 to be expended under the direction of the Park Commission, for the purchase of land for playground purposes in the West End section of Ward 3.

The question came on the acceptance of the report and the passage of the order.

Coun. DOWLING—Mr. President, may I inquire whether that is the order that was originally put in for \$100,000, and increased to \$250,000 by the committee?

Coun. GREEN—Yes.

Coun. DOWLING—Mr. President, with all due respect to the councilor from Ward 3, I just want to serve notice that I shall vote against this ordinance. I think I will be about two steps ahead of the Mayor—not that I want to keep in step with him particularly—in voting against the order.

Coun. BUSH—Mr. President, has the information which I requested the first time this order was introduced—that we be informed as to where the location of this proposed playground is going to be, the area of it, and the probable amount that will be required—been furnished to the Council?

Coun. GREEN—Mr. President, I don't think I can give the councilor that information, because I am not interested in either the land there or this purchase. But I think my genial friend from Ward 3 (Coun. Fitzgerald) might give the councilor the information requested.

Coun. FITZGERALD—Mr. President, where this proposed site is going to be I don't know, but all I can say is that I have never voted against a playground nor a public building since I have been a member of the City Council, nor before I was a member of the Council. The order, of course, must stand on its merits, and if any members want to vote against it, that is their privilege. Of course, it is a thing that is going to be for the benefit of the people of my district. Where it is going to be I don't know, and am not concerned.

Coun. WARD—Mr. President, I don't know that I care much where the playground is to be. If it is to be for the kiddies of the West End, that is enough for me. I would like to have it in my district, but as long as it is for the kids of that section I am perfectly agreeable to voting for the order.

Coun. BUSH—Mr. President, as I said when the order was first introduced, I have not the slightest objection in the world to a playground, or two or three of them, for the West End. I am absolutely in favor of that sort of thing. As far as the West End is concerned, I think that is one of the most congested sections of the city, and you cannot provide too many playgrounds for such sections. But I do object to voting a specific amount of money for a non-specific purpose.

Coun. WILSON—Mr. President, I agree with Coun. Bush. I am not against a playground in Coun. Fitzgerald's district. I think we all realize that playgrounds are needed there. I have received, also, several letters from school teachers in the district, some who were formerly school teachers of mine, and in every instance I have written back that I am in favor, generally speaking, of such projects. But it seems to me the location should be at least sketchily outlined; that some information should be given us making the thing a little more specific than simply stating the amount of money we are asked to spend.

Coun. FITZGERALD—Mr. President, all I can say on this matter is that some people would like a playground placed in the vicinity of the



Blackstone School. That, however, is open to debate. I have no site in mind. That is a congested district, and there are a lot of people interested in settlement house work, work with the youth of the district, who have different ideas as to where the playground should be placed. We never will get anywhere until we pass the order. Everybody who knows about the population of the district realizes that something of this sort is very much needed. Unfortunately, land is costly down there, but land will have to be taken for this purpose sooner or later. I am only interested in doing something for the district, the same as anybody here. The final solution, as to the site, and so forth, remains with the Mayor and the Park Commission.

Coun. BUSH—Mr. President, it is not the function of this body to rely on somebody's else judgment in these matters. On all such matters, on which we are to act, we are supposed in the first instance, to exercise our own judgment. It seems to me if there is any proposed sum to be spent for a playground, all the information possible with regard to it should be brought before the Council, because it is the Council that has to vote on it, and I do feel that before such a sum is appropriated for this purpose, some information at least should be had as to about where the location or site of the proposed playground is to be, and how much area it is to cover. We would like to know what we are going to get for that money.

Coun. RUBY—Mr. President, it is rather unfortunate that, because this particular order has been introduced, there should be a discussion of this sort in regard to it. I have sat here with the members of the Council since the Council came into existence and have never yet, up to the present time, heard the question of where money was to be spent on land, under an order that was offered, discussed in this fashion. There are many reasons why the exact locations cannot be stated in these cases. Regardless of what may be said by others, I am a product of the North End, lived there for thirty years, and had occasion to know, as you all know, that the North and West Ends are the most congested part of Boston, the so-called slums of this city. I think if there is any place in Boston that needs breathing spaces it is the North and West End section. I don't think anybody who has gone through that section will fail to feel as I do. At some time or other during the past administration there was a suggestion brought to the attention of the then Mayor, having in view the cutting up of sections through the North and West Ends and making them parks and playgrounds in that very congested area. At that time there were nine of ten or these proposed cuts in the heart of the district proposed for playground purposes, but for some reason nothing was done. When I was a youngster and lived in the North End, I had to walk a mile and a half to Boston Common to take part in athletic sports. It is no concern to me whether land is taken on Charles street, Leverett street, or anywhere else in the West End, so long as a playground is established for the use of the children. I see no reason why the order should be held up any longer, and I hope the members of the Council will see fit to pass it this afternoon.

The order was given its first reading and passage, yeas 18, yeas 2:

Yeas—Coun. Arnold, Donovan, Englert, Fitzgerald, Freeley, Gilbody, Green, Guild, Heffernan, Keene, Lynch, Mahoney, McGrath, McMahon, Ruby, Ward, Wilson, Wragg—18.

Nays—Coun. Bush, Dowling—2.

Coun. WILSON—Mr. President, I have voted in favor of the order this afternoon, but I would urge upon the councilor from Ward 3 and the Finance Committee of the City Council that, if possible, they furnish us with the requested information before the order comes up for final passage.

Coun. GREEN—Mr. President, we tried to get that information at a meeting of the Committee on Finance. We invited the chairman of the Park Commission before the committee and he outlined some pieces of land that he thought might be good spots for a playground. There is, for instance, some land near the Blackstone School down in the West End that is being considered. I might say, however, in all justice to Coun. Fitzgerald, whose order originally called for \$100,000, that Commissioner Long felt that nothing such as should be done could be done for that money, that he could not get the land that they should have for that money and he asked for the \$250,000. They are looking over some land down there now, however,

and we will try to get for the councilor from Dorchester the information he seeks before the next meeting.

Coun. McGRATH—Mr. President, I ask to make a statement.

President HEFFERNAN—The gentleman will be allowed to speak, with unanimous consent.

Coun. McGRATH—Mr. President, it seems to me that it would be absolutely impossible and would be establishing a bad situation if we asked anybody to tell us where land was going to be located. If we are appropriating money here and naming a specific location, the owners of that location would have an opportunity, after we had gone on record in the matter, to increase the price to almost any amount. It does seem to me that the only way for the City of Boston to get a fair break in matters of this kind is to allow those who have the money to go around and make a fair trade, without settling upon a definite place for them to do business. I think the Council would be bringing about an improper situation in attempting to have a specific place named before the money was even appropriated.

Coun. GREEN—Mr. President, I agree with the councilor from Dorchester —

President HEFFERNAN—The vote has been taken, and there is nothing before the body now.

Coun. GREEN—Mr. President, I ask unanimous consent to make a statement.

President HEFFERNAN—If there is no objection, the gentleman has the floor.

Coun. GREEN—Mr. President, I agree with everything the councilor from Dorchester has so very well said, and, as chairman of the committee, I would like to have any interested parties submit to the committee some land that they have down there. If any land can be secured, I would like to have it submitted to the committee.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President HEFFERNAN called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor May 23, 1927, of John A. Mahoney and Philip A. Dormin, to be Weighers of Goods.

The question came on confirmation. Committee, Coun. Green and Dowling. Whole number of ballots, 18; yeas 18, and the appointments were confirmed.

Coun. GILBODY—Mr. President, on behalf of the Executive Committee, I would call up the name of Arthur Glass, which appears in No. 2 on the calendar. I would simply say that the other gentlemen's names in No. 2 did not appear before the committee and that we can make no report on them at this time.

No. 2 on the calendar, under unfinished business, is as follows:

2. Action on appointments submitted by the Mayor May 23, 1927, of Arthur Glass, Carl P. White, Harry Butters and Peter C. Foy, to be Constables.

Coun. WARD—Mr. President, I would also call up the name of Peter C. Foy, under No. 2 on the calendar. He did appear, but did not know where to go. He was out there and I talked with him before the committee met this afternoon.

The names of Arthur Glass and Peter C. Foy, submitted by the Mayor in No. 2 on the calendar, as constables, were taken up, and the question came on confirmation. Committee, Coun. Gilbody and Ward. Whole number of ballots 18, yeas 18, and the appointments were confirmed.

#### LEASE TO THOMAS J. FITZGERALD POST 561.

Coun. McGRATH, for the Committee on Public Lands, submitted a report of the order (referred May 23) that the Mayor be authorized, in the name and behalf of the city and in form satisfactory to the Law Department, to execute a lease to Thomas J. Fitzgerald Post 561, Veterans of Foreign Wars of the United States, of the room in the municipal building, South Boston, formerly occupied by the American Red Cross, for a term of one year beginning June 1, 1927, at a rental of one dollar per annum—that the same ought to pass.

Report accepted; said order read once and passed, yeas 20, nays 0.  
Assigned for fourteen days for final action.

#### SIDEWALK ON HOLBROOK STREET.

Coun. GUILD offered an order—That the Commissioner of Public Works make a sidewalk along Holbrook street, from Centre street to No. 15 (about 200 feet), and from No. 27 to No. 43 (about 175 feet), Ward 19, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of gravel and crushed stone, with granite edgestones. Under the provisions of chapter 196 of the Special Acts of 1917.  
Passed under suspension of the rule.

#### ADDITIONAL WORK, NAVY YARD.

Coun. GREEN offered the following:  
Ordered, That his Honor the Mayor be requested to communicate with Secretary Wilbur of the Navy Department at Washington for the purpose of calling his attention to the fact that there are very few ships and marines assigned to the Navy Yard at Boston at the present time and requesting

him to send more ships to the Boston yard, which will result in the employment of a number of men and thus relieve present unemployment conditions.  
Passed under suspension of the rule.

#### THE NEXT MEETING.

Coun. KEENE—Mr. President, I move that when the Council adjourns it be to meet a week from tomorrow, on Tuesday, June 14, at 2 p. m. At that time the fourteen days will have expired which will enable us to take final action on the loan order submitted to us last week, and passing it as soon as possible will make a lot of difference in the amount of work that can be done on the streets this year.

It was voted that the next meeting of the Council be held on Tuesday, June 14, at 2 p. m.

#### GENERAL RECONSIDERATION.

On motion of Coun. GREEN, a general reconsideration of all action taken today was refused.

Adjourned at 5.29 p. m., on motion of Coun. GREEN, to meet on Tuesday, June 14, at 2 p. m.





## CITY OF BOSTON.

## Proceedings of City Council.

Tuesday, June 14, 1927.

Adjourned regular meeting of the City Council in the Council Chamber, City Hall, 2 p. m., President HEFFERNAN in the chair. Absent Coun. Keene and Ruby.

## EXECUTIVE APPOINTMENTS.

The following appointments were submitted by the Mayor, viz.:

Weighers of coal: Mrs. Matilda R. Hawkes, care of The Brotherhood Coal Company, Business street, Hyde Park; Hugh Ira Wrye, care of C. H. Sprague & Son Company, 476 Atlantic avenue.

Laid over under the rule.

## SCHOOLHOUSE CONSTRUCTION.

The following was received:

City of Boston,  
Office of the Mayor, June 7, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communication from the Schoolhouse Department in reply to your order of May 9, 1927, in relation to engineering requirements and the Building Laws requirements of the City of Boston for construction of the Continuation School and the new schools in Roxbury and Hyde Park.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Schoolhouse Department, May 26, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Answering the order of the City Council, dated May 9, 1927, referred to this department by your Honor, the Board of Schoolhouse Commissioners reports that the new schools referred to therein will meet safe and proper engineering requirements and the requirements of the Building Laws of the City of Boston for schoolhouse construction.

Very truly yours,  
F. E. SLATTERY, Chairman.

Placed on file.

## SEMI-WEEKLY REFUSE COLLECTIONS.

The following was received:

City of Boston,  
Office of the Mayor, June 14, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communication from Public Works Department in reply to your order of May 23 in relation to the possibility of making semi-weekly collections of ashes and garbage throughout the city.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, June 7, 1927.  
To the Honorable the Mayor.

I return order of the City Council, dated May 23, "That the Commissioner of Public Works be requested, through his Honor the Mayor, to advise the City Council if it is possible to make semi-weekly collections of ashes and garbage throughout the city."

At the present time in East Boston, Brighton, Dorchester, West Roxbury and Hyde Park the contracts call for the collection of ashes once per week throughout the year and for the collection of garbage twice a week during June, July and August and once a week during the balance of the year. In addition, it is necessary for the contractors to remove garbage from hotels, restaurants and fish stores daily from May 1 to November 1 and three times a week the rest of the year. The cost of this

contract work will be approximately \$411,000 this year, and to comply with the order of the City Council would mean an increase in cost of approximately \$200,000.

In the South Boston, Charlestown, Roxbury, South End, Back Bay and North and West End districts, the collections are made by the city forces. Ashes are collected once a week and garbage once a week, with the exception that collections from fish stores, hotels and restaurants are made either daily or three times a week, depending on the amount of garbage produced. The present cost of collection by the city forces is about \$1,000,000 a year, and to give collections as called for by the order of the Council would increase the cost in the city district \$400,000, making a total of \$600,000 for the entire city.

The complaints received in the department relative to garbage and ashes show a decided drop. On May 27 eight were received and on May 31 nine—these being throughout the city—and they show that at present the public is pretty well satisfied as to the number of collections.

Replying further to this order, it is necessary to state that under the present budget provisions it is not possible to increase the number of collections this year. An extended survey will be made during the next few months to determine just what increase in personnel and equipment will be necessary to give semi-weekly collections throughout the city and have it ready to submit for the next budget in November.

Yours respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

## ACCEPTANCE OF HOLLINGSWORTH STREET.

The following was received:

City of Boston,  
Office of the Mayor, June 14, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communication from Street Laying-Out Department in reply to your order of May 23 in relation to the acceptance and laying out of Hollingsworth street as a public highway.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

June 10, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Replying to the order of Councilor Wragg for the acceptance and laying out of that portion of Hollingsworth street between Randolph road and Caton street, the Board begs leave to report that it is having a plan made for that purpose at the present time.

Respectfully,  
For the Board of Street Commissioners,  
THOMAS J. HURLEY, Chairman.  
Placed on file.

## PARKMAN FUND APPROPRIATION.

The following was received:

City of Boston,  
Office of the Mayor, June 13, 1927.  
To the City Council.

Gentlemen,—I am in receipt of the attached request from the chairman of the Park Commissioners, relative to the appropriation of available income from the George F. Parkman Fund. The program which is submitted with the request indicates that the income will be allocated to several of the most prominent and important sections of our park system. I submit the request and program for the consideration of your honorable body and respectfully recommend adoption of the accompanying order.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, June 8, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—By vote of the Board of Park Commissioners, you are respectfully asked to make a request on the City Council for a transfer from the income of the George F. Parkman Fund of the

following amounts, which are now available for the purposes stated below:

|                                                                                                                          |                 |
|--------------------------------------------------------------------------------------------------------------------------|-----------------|
| Fens Improvement (Fourth Section) . . .                                                                                  | \$50,000        |
| Grading, loaming, planting, children's corner, beach, etc.                                                               |                 |
| Franklin Park Improvements . . . . .                                                                                     | 20,000          |
| Repairs and improvements in the Zoo . . . . .                                                                            | \$10,000        |
| New guard rails, walks, new outside cages, repairs to Monkey House and other buildings, etc.                             |                 |
| Excavating, grading, blasting, drainage, etc., for the continuation of the Greeting . .                                  | 10,000          |
| Arnold Arboretum . . . . .                                                                                               | 5,000           |
| Fencing, water system and drainage, etc., to be used for the purpose of furnishing drinking water to the general public. |                 |
| Roxbury High Fort (Highland Park) . . .                                                                                  | 5,000           |
| Restoration of the grounds, etc.                                                                                         |                 |
| Boston Common . . . . .                                                                                                  | 12,000          |
| New walks and repairs to existing walks, etc.                                                                            |                 |
|                                                                                                                          | <u>\$92,000</u> |

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Ordered, That the sum of \$92,000 be and hereby is appropriated from the income of the George F. Parkman Fund, to be expended under the direction of the Park Commissioners, for the maintenance and improvement of the Common and parks in existence on January 12, 1887, as follows:

|                                                         |          |
|---------------------------------------------------------|----------|
| Franklin Park Improvements . . . . .                    | \$20,000 |
| Fens, Improvements . . . . .                            | 50,000   |
| Arnold Arboretum, Improvements . . . .                  | 5,000    |
| Highland Park, Improvements . . . . .                   | 5,000    |
| Boston Common and Public Garden, Improvements . . . . . | 12,000   |

Referred to committee on Parkman Fund.

#### JURY LIST.

The following was received:

City of Boston,  
Office of City Clerk, June 14, 1927.  
To the City Council.

You are hereby notified that the list of inhabitants qualified to serve as jurors, as prepared by the Board of Election Commissioners, and contained in City Document No. 62, was this day filed with me in accordance with law.

Respectfully,  
JAMES DONOVAN, City Clerk.

In connection with the above President HEFFERNAN offered the following:

Ordered, That the City Clerk be hereby directed to cause the names on the jury list, as transmitted to him by the Election Commissioners and contained in City Document No. 62, to be written each on a separate ballot, and said ballots to be properly folded and placed in the box provided for the purpose.

Passed under suspension of the rule.

#### PETITIONS REFERRED.

The following petitions were received and referred to the committees named:

Executive Committee.

Mabelle P. Siske, for children to appear at Boston College Hall on June 14, 1927.

Claims.

Tristram Campbell, for compensation for loss of coat at Boston City Hospital.

John J. Carty, for compensation for collapse of boiler at 37 Foster street, Brighton, caused by water being shut off.

John A. Cunco, for compensation for damage to wagon by city truck.

Samuel Dane, for compensation for damage to property on Maverick street, East Boston, caused by fire apparatus.

Anna Finkelstein, for compensation for injuries caused by an alleged defect at 6 Porter street.

Frank Fraytus, for compensation for damage to automobile which was commandeered by police officer.

Allice M. Gaffey, for compensation for damage to automobile by fire apparatus.

Etta Kaufman, for compensation for injuries caused by an alleged defect at 1132 Blue Hill avenue.

Annie J. Kelley, for compensation for injuries caused by an alleged defect at 44 Dupont street.

D. H. Lane, for compensation for damage to property at 627 Warren street, Roxbury, caused by break in water main.

Harry & May Minsky, for compensation for damage to property at 102 Lawrence avenue, caused by ash truck.

David Murphy *et al.*, for compensation for damage to automobile and injuries caused by city truck.

National Laundry Company, for compensation for damage to wagon by city truck.

Rev. C. R. Powers, for compensation for damage to clothing caused by an alleged defect in Boston Common.

Arthur F. Ryan, for compensation for damage to automobile by city truck.

Jacob Schwartz, for compensation for damage to property at 1164 Blue Hill avenue, caused by break in water pipe.

Genevieve Sherman, for compensation for damage to automobile by fire apparatus.

Southgate Building Company, for refund on refuse tickets.

George Turco, Inc., for compensation for damage to property at Faneuil Hall Market, caused by defective water pipes.

Benny Weiner, for compensation for damage to property at 242 Dorchester street, by city truck.

Jacob Wishnow, for compensation for damage to property at 1166A Blue Hill avenue, caused by break in water main.

Wilfred E. Jacobs, to be reimbursed for money expended in connection with public celebration.

Charles and Jenney R. Burtman, for compensation for damage to property at 80 Walnut park, caused by chemical solution used to spray trees by Park Department.

#### CHANGE IN ASSESSMENT DISTRICTS.

A communication was received from the Board of Assessors transmitting changes in certain assessment districts in Ward 5.

Placed on file.

#### RESOLUTIONS AGAINST BREAD TRUSTS.

A communication was received from the Boston Central Labor Union transmitting copy of a resolution proposed by the Bakery and Confectionery Workers' International Union of America, for passage by City Council condemning the operations of a group of corporations known as the Bread Trust, consisting primarily of the Continental Baking Corporation, The General Baking Corporation and the Ward Baking Corporation.

Referred to Executive Committee.

#### CONSTABLES' BONDS APPROVED.

The bonds of the following constables having been duly approved by the City Treasurer were received and approved, viz.:

Ernest M. Bellows, Joseph W. Bennett, William A. Iannone, Patrick J. Monahan, Samuel Semian-sky and James H. Waugh.

#### CRITICISM OF STREET REPAIR LOAN.

The following was received:

June 8, 1927.

To the Honorable the City Council.

Gentlemen,—There is now pending before your honorable body a communication and loan order submitted by the Mayor for borrowing \$500,000 for the repair of streets of the city.

It is unsound financing to borrow money to meet current expenses. The principle of paying current expenses from money raised by taxation has, with few exceptions, been adhered to since

the charter amendments were adopted until this principle apparently was abandoned by the present administration. Last year the present administration resorted to this improper method of financing, when it procured a loan to buy trucks and snow removal machinery—property which would soon wear out. That such financing is improper was recognized by the Mayor at the time of the loan for trucks, for he said in his message, "I appreciate that in advocating such a step I am departing, in a sense, from an established financial policy of the city, namely, to finance the purchase of equipment out of current revenue." The impropriety of such financing was also recognized by Mayor Curley in 1925 when, in breaking the good record of the city in the same way, he said, "It is with great reluctance and a realization that the municipality is departing from a sound policy, that I recommend the borrowing of \$500,000 for permanent street paving."

To borrow money for this current expense is contrary to the spirit of the tax limit law passed this year. After hearing arguments on the subject of the tax limit, the Legislature fixed the sum of \$13 on a thousand as the amount which the city might expend for its current expenses, obviously intending thereby that the Mayor should reduce the estimates of his budget to conform to the limit provided. In borrowing for the purpose of repairing streets the administration is overriding the act of the Legislature and declaring that whatever tax limit is established it will nevertheless spend whatever amount it desires, even if the money is obtained by improper means.

Last year with the appropriation provided and balances carried over, the Public Works Department had approximately \$1,085,898 for street repairs, but it was able to spend only \$666,118.85. Subject to certain transfers it carried over for use this year the sum of \$369,779.81. Thus with the \$250,000 provided in the present budget for this purpose, without any loan the department has available for this year's work the sum of approximately \$619,779, which is within \$46,339 of the amount it was able to spend last year. If the pending loan order is passed, the department will have a total spending power of approximately \$1,119,000 for this purpose. There is nothing in its record to show that it has the capacity to carry on work to the extent of the total proposed amount.

All the funds which the Public Works Department can spend for street pavement in the current year can be provided without resort to a loan. If, in addition to the approximate sum of \$619,000 already available, any part of the sum of \$500,000 included in the proposed loan order is needed, there is no question that the Mayor can find it within his present budget. Your own Committee on Appropriations was able to recommend a saving of over \$200,000 by cutting out items, in most cases with the consent or against only a feeble protest of the head of the department involved. In fact last year the departments were unable to expend the amounts provided for them in the budget and carried over unexpended balances of \$1,090,366.13. In the previous year likewise unexpended balances of \$502,545.24 were carried over. In case it should eventually appear that the money is needed, the Mayor should be required to provide it from his present budget by transfer.

The Mayor, in his veto of the School Committee's budget, stated, "I am sure that a careful consideration of the discussion that has been going on for a long time of the relief of taxation and a careful consideration of every item of expenditure will emphasize to you the importance of a thorough examination of your budget for the purpose of taking from it such sums as may appear to be unnecessary." He should be called upon to follow his own good advice.

There is, moreover, an enormous sum not taken into consideration in the budget which can be made available for this purpose. Since the beginning of the present fiscal year over \$4,750,000 of money from taxes assessed in previous years, but not paid until after January 1 of the current year, has come into the city treasury. The greater part of this money has been expended for current expenses by the City Auditor, without any authority from the City Council. If, from money borrowed in anticipation of the coming in of current taxes or from the taxes themselves when they come in in October, the City Auditor were re-

quired to restore to the treasury only a small part of this cash surplus from prior years, the whole amount suggested in the pending loan order could easily be taken care of by a special appropriation. In an opinion rendered to the Finance Commission in January, 1922, Arthur D. Hill, Esq., then Corporation Counsel, held that such an appropriation would be legal.

Under chapter 206 of the Acts of 1891, the pending loan order will be illegal unless, under the terms of the act, the Mayor is ready to certify that the amount intended to be borrowed is not to meet a current expense, or that public necessity requires the borrowing of the same. Of course neither of these statements would be true.

The Finance Commission recommends:

1. That the pending loan order be defeated.
2. That the Mayor be required to find the money, if needed, by transfers from unnecessary items in his budget.
3. That, if the Mayor refuses to find the money, if needed, by means of transfers, the Council refuse to act until the Mayor sends in an order for a special appropriation from the surplus derived from back taxes.

Respectfully submitted,  
THE FINANCE COMMISSION,  
By CHARLES L. CARR, Chairman.

Placed on file.

#### PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds, from June 1, 1927, to June 15, 1927, inclusive, totalling \$4,160.67, was received and approved.

#### INCREASE FOR WATCHMEN AND ENGINEERS AT JAIL.

Coun. MAHONEY offered the following:  
Ordered, That until otherwise ordered the wages of the watchmen, operating engineers at the Suffolk County Jail, be established at \$42 per week, effective June 3, 1927.

Passed under suspension of the rules.

#### PRICES FOR REFRESHMENTS IN PARKS.

Coun. MAHONEY offered the following:  
Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to submit to the City Council a list of prices to be charged for refreshments at the Head House, South Boston.

Passed under suspension of the rule.

#### NOTICE OF PUBLIC UTILITY HEARING.

Coun. BUSH offered the following:  
Whereas, It has been the custom of the Department of Public Utilities of the Commonwealth of Massachusetts to hold public hearings on matters affecting the residents of the City of Boston by publication of one notice in a daily newspaper, and  
Whereas, The rights of residents of Boston affected by the decisions of the Public Utilities Department have been prejudiced as a result of the failure to have knowledge or notice of such public hearings; therefore be it

Ordered, That the Department of Public Utilities be requested, through his Honor the Mayor, that as a matter of courtesy a notice in writing be given to the City Council of all hearings to be held before the Board in order that the city councilors, whose districts may be affected by such decisions, as may be rendered may have due notice and knowledge thereof to enable them to protect the rights of the residents of their respective districts.

Coun. BUSH—Mr. President, for the information of the members of the Council, and making an explanation which I think is due to them, I want to say this order refers to chapter 488 of the Acts of 1924, in section 22, which states that: "A building or premises used or to be used by a Public Service Corporation may be exempted from the operation of this act if, upon a petition of the corporation, the Department of Public Utilities shall, after a public hearing, decide that the present or proposed situation of the building or



premises in question is reasonably necessary for the convenience or welfare of the public."

Chapter 488 is the Zoning Act of the City of Boston, and this section refers to sections of the city which have been zoned off as local residential districts. It, in effect, states that if a public utility desires to put up a commercial or industrial building in such a zoned area, it can obtain an exception from the zoning laws by applying to the Department of Public Utilities upon petition, and the Department of Public Utilities, if it decides that such action is reasonably necessary for the convenience or welfare of the public, after such hearing can declare the premises upon which it is proposed to erect such a building exempt from the operations of the Zoning Act. It seems that the custom of the Department of Public Utilities is to give notice of the public hearing thus held merely by publication in a daily newspaper for one day. It has been my experience recently that such notice is not sufficient; and when the Edison Electric Illuminating Company of Boston petitioned the Department of Public Utilities for such an exception under this act, in order to establish a power substation in the purely residential section of my district, there was merely publication of notice of the hearing in the Boston *Daily Globe* for one day, and no notice was given to the abutters, and no knowledge was had by any of the parties in interest. The result was that the only people who appeared at the hearing were the proponents, those representing the Public Utility Corporation, the Edison Electric Illuminating Company, as it happened to be in that case, and, although no evidence was introduced at the hearing showing that what was proposed was reasonably necessary, the Department of Public Utilities granted the exemption from the Zoning Law. Subsequently a representative from the district, Abraham B. Casson, and myself, took the matter before a single justice of the Supreme Court, asking for a restraining order until a writ of *certiorari* could be obtained. The restraining order was refused, and the case was reported to the full bench for action. That is an expensive proceeding and entails a great expenditure of time, with a very slim possibility of success, because where the matter is left by the statute within the discretion of the Department of Public Utilities to decide whether it is reasonably necessary for the Public Utilities to have that site, the Supreme Court is not apt to go any farther. Therefore, it seems imperative that notice should be at least given to someone who will take up the cudgels for the citizens of the district where the site is proposed to be taken; and, of course, no action could be taken by anybody without knowledge or notice of what was proposed to be done. This order merely requests the Department of Public Utilities, through his Honor the Mayor, to give the City Council notice of any public hearing before the department and upon such a matter, so that if members of the City Council, acting for their constituents, are interested in any such action which may be proposed in connection with any industrial plant, they may take such action as may seem desirable in respect to appearance at the hearing.

The order was passed under suspension of the rule.

#### SIDEWALK ON DEWOLF STREET.

Coun. McGRATH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along DeWolf street, Hancock street to Downer Avenue, both sides, Ward 13, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### BENCHES IN RICHARDSON PARK.

Coun. LYNCH offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to install benches in Richardson Park, Dorchester.

Passed under suspension of the rule.

#### MUNICIPAL GOLF LINKS ON LONG ISLAND.

Coun. GILBODY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to consider the advisability of establishing a municipal golf links on Long Island.

Coun. GILBODY—Mr. President, we find the Boston *Globe* interested in the matter of the City of Boston maintaining golf links for the benefit of the people, as is done in other municipalities in the country, and it has been brought to my attention that there are on Long Island about sixty-seven acres of land, about fifteen of which, I believe, are occupied by the almshouse and hospital. There are, I believe, about fifty-four acres available for a golf course. I understand that forty-four acres is about the area of the present course now maintained in Franklin Park. It occurred to me that it might be a desirable proposition to establish such a course down on the island, which would be so easily accessible by boat, the golf players being taken down and up the harbor, and, as we now have the land, the course could be established at a minimum cost. The land is there, and the necessary hazards and other elements of terrain essential to a good golf course. I understand, further, that the municipality of Boston has had a revenue of about \$12,000 annually from the golf course on Franklin Park. If a citizen now wants to play the game he has to join some of the private clubs, at a cost quite excessive for the ordinary middle-aged man. Therefore, I think it is entirely feasible that we might establish a municipal golf course on Long Island, and I ask for a suspension of the rule and passage of the order.

Coun. WARD—Mr. President, some time ago I put in an order relative to a municipal golf course, but at the time the Council hopelessly rejected the proposal. I believe in municipal golf courses, as does Coun. Gilbody, but I would rather have the matter referred to the Executive Committee, because I am not in harmony with the idea of placing the golf course on Long Island. Therefore, I will ask that the order be referred to the Executive Committee.

Coun. GILBODY—That is perfectly agreeable to me, Mr. President.

The order was referred to the Executive Committee.

#### APPRAISAL OF PROPOSED FIRE STATION SITE.

Coun. PARKMAN offered the following:

Ordered, That his Honor the Mayor be requested to appropriate sufficient money to provide for an appraisal by three independent experts to be appointed by the Council of the property at the corner of Bulfinch and Cambridge streets, which it is proposed that the city purchase under the pending loan order for a new Central Fire Station.

Coun. PARKMAN—Mr. President, it may be granted that the integrity of the individuals concerned on behalf of the city and on their own behalf in this proposed purchase of property is of the highest, and their motives may be above reproach. Still, the question will remain, whether it is not obviously improper for any individual to be asked to appraise the property which he proposes to sell to the city, and that the city proposes to purchase with public funds. The public has an interest in any transaction which involves the expenditure of the city's money, and the public is entitled to be protected and to have the city's business conducted in a manner which is not subject to any suspicions whatsoever. Not only is the public entitled to protection, but the reputation of the men involved is also entitled to protection. While the individuals themselves may have their own ideas as to how they should deal with the subject in their private capacities, at the same time the Council has a duty to perform, and I can see no reason why any objection whatsoever should be made to having an appraisal arrived at independently by impartial and unbiased individuals, with no interest whatsoever in the property which the city proposes to buy. I believe, therefore, that this order should be passed and that money should be appropriated to provide for an independent appraisal by experts to be appointed by the Council.

Coun. GUILD—Mr. President, I am in accord in theory with the order that the councilor has introduced. It occurs to me, however, that the order might well be revised so as to specify some special sum which is to be paid to experts to make this appraisal. I am not sufficiently familiar with the real estate business to know what is a fair figure to pay men for making an appraisal of this sort; but it seems possible that if three disinterested people are appointed by some means or other and a very large sum were appropriated by the Mayor for the purpose of paying them for making their appraisal, the appraisal might cease to be disinterested, having in view the stipend which they were receiving. As I heard the order read, it occurred to me that no provision was contained in it for the selection of the three disinterested appraisers, and I believe there should be some such provision, if it is to be carried out by this body. I may be in error on that last point, in view of these facts, I would move reference of the matter to the Executive Committee.

The order was referred to the Executive Committee.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President HEFFERNAN called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor June 6, 1927, of Benjamin H. Cohen and Robert Levine to be Weighers of Coal; Rose Kriusky and Edward Conlon, to be Weighers of Goods; Harry B. Wood and Arthur J. Duffy, to be Measurers of Grain and Weighers of Goods.

The question came on confirmation. Committee, Coun. Dowling and Donovan. Whole number of hallots, 18, yeas 18, and the appointments were confirmed.

#### LOAN FOR PERMANENT STREET PAVEMENT.

President HEFFERNAN called up, under unfinished business, No. 8 on the calendar, viz.:

8. Ordered, That the sum of \$500,000 be and hereby is appropriated to be expended by the Commissioner of Public Works for Permanent Street Pavement, and that to meet said appropriation, the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On May 31, 1927, the foregoing order was read once and passed, yeas 21, nays 0.

The question came on the second and final reading and passage of the order.

Coun. GUILD—Mr. President, since this order passed its first reading, I and other members of the City Council have been in receipt of a lengthy communication from the Finance Commission. This communication has already been referred to in a public message from his Honor the Mayor. In referring to the communication I shall endeavor to refrain from the use of adjectives and adverbs with which it might be characterized. I think it is sufficient at the outset to say that the communication from the Finance Commission begs the question which is before the City Council. They assume, at the outset of their letter and throughout, that the repaving of streets with permanent paving is a current expense. The whole gist of the argument contained in their communication is based upon that theory, that it is a current expense. Unless it is a current expense to entirely remove paving from certain streets and to replace it with paving of a permanent character, to endure for a period of fifteen to twenty years, their remarks are without point, and the burden of the entire communication, that it is unsound financing to borrow money to meet current expenses, has no bearing whatever on the issue that is before us. It has occurred to me that this question of the proper method of financing the project which it is proposed to carry out may well be compared to the situation in which a man might find himself if he inherited from his grandfather a fairly old house, in which he found carpets with a few holes worn in them, a few treads in the front steps needing replacing, and, with numerous other such deficiencies in the house because of which it became desirable to make repairs. He might make up his mind to make those repairs in several ways. There are at least

three elements which would enter into his reckoning in arriving at a conclusion or judgment. Patching the dining-room carpet, or putting a new hoard or two in the treads of the wooden front steps are things which most people would say should be paid for out of the weekly pay envelope. They are current expenses. If, on the other hand, all of the carpets were to be taken up and oak floors put in, and if the wooden front steps are to be entirely torn away and granolithic or stone steps put in their place, it would then seem clear that it would be justifiable for him to place a mortgage on the old house in order to make such expensive repairs, which would be in the nature of permanent improvements and would be a proper charge to capital. The Finance Commission criticizes the position of the administration in this matter, as in the past it criticized the policy of the administration in connection with the purchase of snow removal machinery, under the order which went through last year. To use their own expression at that time, we were mortgaging the house to buy a snow shovel. Whether or not he was mortgaging the house to buy a snow shovel last year has nothing to do with the situation with which we are now confronted. It was at least debatable whether the purchase of the snow shovel was a current expense or not, but in my opinion the question of whether the improvements sought under this order are orders of current expense or not is scarcely a debatable one. The loan order which the administration has introduced does not contemplate a mere patching here and there of holes that have developed in the paving we now have. We have been told distinctly that what it is proposed to do is to entirely tear up the paving on certain streets and replace it with paving of a permanent character. This would seem very naturally to be a capital charge upon the city, looking at it purely from what you might call the philosophical point of view. It is not a mere current expense, as the Finance Commission insists all through their communication to us. What the present Mayor has to say regarding a similar matter of financing here to buy snow removal machinery last year has no bearing on the situation, because it is conceivable that the purchase of such machinery is, arguably at least, a current expense. But unless someone is willing to say—and I doubt if they are—that to rip up a paving and replace it with one to last fifteen or twenty years is a mere current expense instead of a capital charge, there can be no comparison between the two cases, and the Finance Commission's letter is without point. Whatever doubts the previous Mayor may have expressed on financing permanent street paving by a loan may well have been expressed because of his customary hostility to a Legislature which had already said that such a matter was sound finance, rather than because of a sincere feeling that such was the case. I refer to the fact that the Legislature has said that this type of replacing existing paving with permanent paving is not a current expense, and that it is in their opinion justifiable to treat it as a capital charge and one for which a loan order is proper. With reference to the argument that the Legislature has this year fixed the limit of \$13 on a thousand as the amount which the city may expend for current expenses—as laid down in the communication from the Finance Commission—the same answer applies. These are not current expenses, and to assume that they are places the whole question before us. The Finance Commission asserts that last year the Public Works Department was able to spend only \$666,118.85 for street repairs. While it may be true that such a sum was all it did spend, it is far from following that it is all it could spend, and it is no basis whatever for an inference that it is all the department can or will spend this year. The work of ripping out the old pavement will be done by contract, the administration tells us, and no one will contend that it takes any more time or labor on the part of the city officials whose duty it is to sign contracts to affix their signatures to a contract for a million dollars than to a contract for a small sum like \$2,000. That is the work to be done by the city officers and it is too much to expect us to believe the Finance Commission when it says, inferentially at least, that all that can be spent is the same amount that was spent last year. It does not follow at all that because a certain amount was spent last year that is all that could have been spent, and it is very far from following that that is all that they can or will spend this year. There is a suggestion also in the communication from the Finance Commission that the Mayor



should be called upon to follow his own good advice to the School Committee. This seems particularly pointless in view of the fact that that advice was given in connection with a purchase covering current expenses, and we are now dealing with something different. So, again, the Finance Commission is begging the whole question. While it might be strictly legal to pay for the permanent paying out of money that is collected this year which should have been paid to the city in previous years,—that is, out of taxes that ought to have been paid to the city in years gone by—it is very far from following that it would be found financial policy to do so, in view of the fact that the proposed expenditure is not a current expense, and that there are plenty of current expenses from which the money in question can be used. That being the case, it would seem to be sound finance to meet with a loan order those things that are properly to be met by a loan order. As far as the legality of the present loan order is concerned, it is hard to imagine anyone who would not be willing to certify both that it was not for a current expense—since the Legislature has said it is properly a capital charge—and that public necessity requires the borrowing, having seen the condition of the paving it is proposed to replace. Having disposed of the contention that the \$500,000 which it is proposed to raise by this loan order is to be spent for current expenses, it seems to me entirely proper to entirely disregard the communication from the Finance Commission, although I do not believe it should be disregarded without at least referring to the weaknesses in the communication they have sent to us, because I believe the Finance Commission has not yet fallen into a position where the public at large entirely disregards what it issues in the way of statements to the public.

The order was given its second and final reading and passage, yeas 19, nays 0.

Yeas—Coun. Bush, Donovan, Dowd, Dowling, Englert, Fitzgerald, Freeley, Gilbody, Green, Guild, Heffernan, Lynch, Mahoney, McGrath, McMahon, Parkman, Ward, Wilson, Wragg.

#### ALFRED SOLOMON SQUARE.

Coun. BUSH offered the following:

Ordered, That the space at the junction of Elm Hill avenue, Waumbek and Warren streets, Roxbury, be named Alfred Solomon square, in memory of said Solomon, who died as a result of injuries received while in the service of the United States in the World War, and that suitable signs be erected to designate the same.

Passed under suspension of the rule.

#### LINDBERGH AVIATION FIELD.

Coun. DONOVAN offered the following:

Ordered, That the Department of Public Works of the Commonwealth be requested, through his Honor the Mayor, to name the aviation field at East Boston Lindbergh Field.

Coun. DONOVAN—Mr. President, my reason for offering this order at this time is that I believe this Commonwealth and this great city of ours should pay homage to this young man, who has been so signally honored by the entire world. It is that thought that prompts my filing the order at this time.

The order was passed under suspension of the rule.

#### BOULEVARD LIGHTS FOR DORCHESTER.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of three arc lights on Bellevue street, Dorchester, between Columbia road and Quincy street.

Passed under suspension of the rule.

#### CHILDREN ON COMMON AND PUBLIC GARDEN.

Coun. GUILD offered the following:

Be it ordained by the City Council of Boston as follows:

Chapter 39 of the Revised Ordinances of 1925 is hereby amended by adding after section 82 thereof the following:

Section 82A. No person under the age of sixteen years shall be permitted in or upon the Common or Public Garden between the hours of 9 p. m. and 6 a. m. unless accompanied by his or her parent or guardian.

Referred to Committee on Ordinances.

#### WIDENING OAK SQUARE.

President HEFFERNAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to widen Oak square, at the junction of Washington and Faneuil streets, Brighton, by taking by eminent domain the land which has been abandoned for railroad purposes by the Boston Elevated Railway Company at said location.

Passed under suspension of the rule.

#### SIDEWALK ON HOBSON STREET.

President HEFFERNAN offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along west side of Hobson street, Ward 22, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### SIDEWALK ON MANSFIELD STREET.

President HEFFERNAN offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Mansfield street, Aleott street to East street, both sides Ward 22, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### RECESS.

On motion of Coun. PARKMAN, the Council voted at 2.48 p. m. to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President HEFFERNAN at 3.38 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following:

1. Report on the petition of Maybelle P. Siske (referred today), for children to appear at Boston College Hall, on June 14, 1927—recommending that the permit be granted.

Report accepted, said permit granted on the usual conditions.

2. Report on order (transmitted by the Mayor and referred June 6) recommending acceptance of the bequest of the late Abraham Shuman to the Boston City Hospital—that the same ought to pass.

Report accepted, said order passed.

3. Report on order (referred today) requesting the Park Commission, through his Honor the Mayor, to consider the advisability of establishing a municipal golf links on Long Island—that the same ought to pass.

Report accepted, said order passed.

4. Report on order (referred today) requesting the Mayor to appropriate sufficient funds to provide for an appraisal by three independent experts, to be appointed by the Council, of the property at the corner of Bulfinch and Cambridge streets, which it is proposed that the city purchase under the pending loan order for a new Central Fire Station—that the same ought to pass.

The report was accepted, and the question came on the passage of the order.



Coun. GUILD—Mr. President, I understood that that was amended in the committee, recommending that the amount paid be in accordance with the scale fixed by the Boston Real Estate Exchange.

President HEFFERNAN—The Chair would inform the gentleman that the Clerk stated that there was no necessity for so amending the order.

Report accepted, order passed.

5. Report on order (referred June 6) requesting Park Commissioners to provide additional attendants forthwith at the L Street Bath Houses—that the same ought to pass.

Report accepted, said order passed.

#### SOLDIERS' RELIEF.

Coun. ENGLERT, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of June, 1927.

Report accepted, said order passed.

#### \$500 FOR SOLDIERS' RELIEF.

Coun. ENGLERT offered the following:

Ordered, That there be allowed and paid to the Soldiers' Relief Commissioner, and charged to the appropriation for Soldiers' Relief Department, the sum of \$500, said sum to be expended subject to the approval of the Committee on Soldiers' Relief by said commissioner in affording immediate relief to persons entitled to aid under chapter 115 of the General Laws, and acts in amendment thereof and addition thereto.

Passed under suspension of the rule.

#### REJECTION OF CONSTABLES.

Coun. GILBODY—Mr. President, for the Executive Committee I would call up, under unfinished business, No. 6 on the calendar, with the exception of the names of Morris Berkman and Barney DeLuca.

No. 6 on the calendar, under unfinished business, as called up by Coun. GILBODY, and with the two names referred to above by him omitted, is as follows:

6. Action on appointments submitted by the Mayor April 11, 1927, of the following-named persons to be Constables: Carleton N. Baker, Jacob Berman, Thomas A. Brannely, Eugene F. Canney, Nataniel M. Clark, Saverio DiDonato, John E. Downing, William L. Frost, Remy Goduti, Hugh F. Kiernan, William H. Kivlan, William J. Lally, John P. Laundry, Calvin E. A. Mackenzie, Edward J. McTiernan, Edward F. Murphy, William F. O'Connell, John A. Packard, Frank J. Penney, Howard W. Pinn, George M. Potter, James P. Rosenfield, Herbert D. Sawyer, Benjamin Schnetzer, Arthur W. Wade.

Coun. GILBODY—Mr. President, the committee reports ought not to be confirmed on those names. But the reason, I think I should say, in fairness to them, is nothing derogatory to them, except that they did not respond to the invitation to appear before the committee and be heard in connection with the investigation then pending. Therefore, the Executive Committee reports on these men that they be not confirmed. Therefore, I now call up No. 6 on the calendar, with the exception of the two names I have mentioned.

President HEFFERNAN—The Chair would ask Coun. Gilbody if the report of the committee is that all except those two names he has referred to be not confirmed?

Coun. GILBODY—Yes.

No. 6 was taken up, with the exception of the two names referred to. The question came on confirmation of the appointments. Committee, Coun. Gilbody and Freely. Whole number of ballots, 19; necessary for confirmation, 10; yeas 2; nays 17, and the appointments were rejected.

#### CONFIRMATION OF CONSTABLES.

Coun. GILBODY—Mr. President, further reporting for the Executive Committee, I would like to call up the name of Allen Libby, under No. 3 on the

calendar, and ask that that name be confirmed at this time. I am assured that the party concerned is a voter and a resident of Boston and is not going to work for an installment house or collecting agency.

Coun. BUSH—Mr. President, I wanted to call up the name of Allen Libby last week. Mr. Libby arrived here too late for the hearing, because his car broke down, as I mentioned in the Executive Committee. He has never been a constable before. I have asked him the same questions that the committee asks these men as a general rule, and he has answered them satisfactorily. I am going to vouch for him.

The question came on confirmation of the name of Allen Libby as constable. Committee, Coun. Dowling and Donovan. Whole number of ballots, 17; yeas, 14, and the appointment was confirmed.

#### ELEVATED JITNEYS IN EAST BOSTON.

Coun. GILBODY—Mr. Chairman, reporting for Coun. Ward, chairman of the Committee on Jitney Licenses, I will submit the following report:

Coun. GILBODY, for the Committee on Jitney Licenses, submitted a report on the petition of the Boston Elevated Railway Company (referred June 6) to run jitneys between Prescott square and the junction of Lexington and Meridian streets—recommending that license be granted.

Coun. McGRATH—Mr. President, I would like to hear from the councilor from East Boston upon that matter.

Coun. DONOVAN—Mr. President, perhaps no member of this body has had as many squabbles with the Boston Elevated Railroad as I have had; but I want to say that this is a petition requesting temporary use of buses for the hill residents of East Boston until the street cars can be returned, due to the fact that the street will be under construction and not completed until September 15. This is only a temporary permit to the Elevated to give bus service to the residents of that hill until September 15.

Report accepted, permit granted under usual conditions.

#### SALE OF UNCLAIMED BAGGAGE.

Coun. ENGLERT, for the Committee on Unclaimed Baggage, submitted a report on the petition of the Boston & Maine Railroad (referred June 6, 1927) to sell unclaimed baggage at public auction—recommending the passage of the following:

Ordered, That the Boston & Maine Railroad be hereby authorized to sell at public auction on or before August 15, 1927, and after publication of the time and place of sale, according to law, the articles left remaining unclaimed in the possession of said railroad in the City of Boston.

Report accepted, order passed.

#### ARC LIGHTS ON BELLEVUE STREET, DORCHESTER.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of three arc lights on Bellevue street, Dorchester, between Columbia road and Quincy street.

Passed under suspension of the rule.

#### PLAYGROUND FOR BRIGHTON DISTRICT.

Coun. DOWLING offered the following:

Ordered, That the Board of Park Commissioners be requested, through his Honor the Mayor, to submit an estimate as to the cost of the site for playground purposes in the vicinity of Union, Stanton and Winship streets, Brighton district.

Coun. DOWLING—Mr. President, as that order is the result of a promise which I made to sixty boys of the primary school are in the Brighton district, in a community which borders on the district which you and I represent at the present time, Mr. President, and as there is accompanying the order a petition signed by the boys, drawn up in the language of the average American youth, I

respectfully request that the petition, with the names appended, be included in the records of the meeting.

The petition, with the appended names, is as follows:

To His Honor the Mayor and the City Council.

We, the undersigned, representing the small boys living near Union street, Brighton, and having no playground within a half mile of our home, respectfully request that the land now vacant on the south side of Union street, between Shannon and Winship streets, be reserved for playground purposes.

The reasons for which we ask for a playground are as follows:

1. Most of the boys in this neighborhood have to stay home all summer.
2. The nearest public playground is more than a half mile away, and we cannot reach it except by going through streets that are filled with automobiles and street cars.
3. The only place we have to play is in the narrow streets where we live and a lot of automobiles pass through those streets which makes it unsafe for us.
4. A good many of our fathers work nights and sleep in the day time, and, for this reason, many of us cannot play in our own yards because we do not want to wake our fathers up.
5. We would like to have a playground with a small ball field, sec-saws, swings, bean-bags, ring toss, basket ball, sliding chutes, gymnastic apparatus and a shelter where we can play on rainy days.

Arthur O'Brien, 93 Union street, 10 years.

Paul Shea, 8 Chestnut place, 11 years.

Lawrence Clear, 1 O'Neil place, 10 years.

Charles Dagstine, 38 Shepard street, 9 years.

Harry Dagstine, 38 Shepard street, 11 years.

Dante Reduto, 28 Shepard street, 9 years.

Morris Izzo, 28 Shepard street, 11 years.

Dan Doherty, 71 Chestnut Hill avenue, 9 years.

Francis Solary, 31 Colonial road, 12 years.

Cornelius Kelleher, 7 Shepard place, 13 years.

John Grace, 28 Colonial road, 13 years.

Louis Visco, 42 Shepard street, 12 years.

John Visco, 42 Shepard street, 9 years.

Tony Cuzzi, 42 Shepard street, 12 years.

Albert Donnellan, 44 Winship street, 10 years.

Paul McElaney, 1 Winship place, 10 years.

Joseph McElaney, 12 Winship place, 9 years.

John Keliher, 7 Shepard place, 12 years.

Vincent Channelly, 48 Winship street, 12 years.

John Kelleher, 60 Winship street, 9 years.

Raymond Hannigan, 40 Shepard street, 9 years.

Lawrence Higgins, 41 Snow street, 10 years.

James Killian, 39 Snow street, 10 years.

John Kelly, 40 Snow street, 11 years.

Patrick Antonello, 34 Snow street, 9 years.

Clark E. Taylor, 37 Snow street, 12 years.

Tony Rofe, 39 Union street, 9 years.

Domonico Cedrone, 39 Snow street, 9 years.

Louis Couzzo, 35½ Snow street, 9 years.

Fred Murray, 66 Union street, 9 years.

Andrew Kane, 43 Shannon street, 10 years.

Albert Pecone, 33 Shannon street, 10 years.

Robert Kelly, 41 Snow street, 9 years.

Tony Dimambro, 15 Union street, 11 years.

Joseph Parmela, 39 Union street, 10 years.

Edward Nelson, 38 Shannon street, 10 years.

Jack Bossio, 21 Snow street, 9 years.

Elmer Aillo, 7 Snow street, 9 years.

Joseph O'Connor, 8 Eulita terrace, 11 years.

Steven Kelley, 41 Snow street, 8 years.

Richard Bowe, 105 Union street, 9 years.

Charles King, 30 Blenford street, 10 years.

Daniel O'Brien, 91 Union street, 10 years.

William King, 30 Blenford street, 12 years.

Alfred Cellucci, 30 Shannon street, 11 years.

Nicholas Twigg, 37 Snow street, 12 years.

Joseph Kilgraff, 32 Winship street, 11 years.

Dan O'Brien, 6 Parkland street, 10 years.

John Farrell, 95 Union street, 10 years.

John McNamara, 95 Union street, 11 years.

John Roddy, 35 Winship street, 10 years.

Arnold Heath, 54 Wallingford road, 8 years.

Paul Daley, 75 Wallingford road, 12 years.

Bob Saunders, 55 Colonial road, 12 years.

Philip Heath, 54 Wallingford road, 11 years.

Ellis Gordon, 7 Melton road, 10 years.

Richard Delahanty, 51 Colonial road, 8 years.

George Herlihy, 24 Colonial road, 8 years.

Thomas O'Hara, 22 Eulita terrace, 13 years.

John McMurtrey, 11 Henshaw street, 11 years.

Fred Casey, 731 Cambridge street, 11 years.

Bernard O'Rourke, 7 Sparhawk street, 12 years.

Walter Rich, 91 Claymass road, 13 years.

George Collins, 156 Washington street, 11 years.

Wendell McBayne, 155 Washington street, 11 years.

Ted Salvarue, 47 Snow street, 12 years.

Raphael Salvarue, 45 Shepard street, 12 years.

Patriek Nicholas, 7 Parkland street, 10 years.

Passed under a suspension of the rules.

#### PROPERTY SURVEY, MEDFORD STREET.

Coun. GREEN offered the following:

Ordered, That the Board of Assessors be requested, through his Honor the Mayor, to make a survey of property on Medford street, Charlestown, from Fay square to Chelsea street, for the purpose of determining how near the present assessments are to the present market value.

Passed under suspension of the rule

#### MOTORCYCLE OFFICER FOR MEDFORD STREET.

Coun. GREEN offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to assign a motorcycle officer for duty on Medford street, Charlestown.

Passed under suspension of the rule.

#### FIRE HAZARD INSPECTION, MEDFORD STREET.

Coun. GREEN offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to instruct the Fire Prevention squad to make an extensive inspection of buildings on Medford street, Charlestown, from Chelsea street to Fay square, for the purpose of reducing the fire hazard and that he also be requested to report to the City Council relative to the same.

Passed under a suspension of the rule.

#### RESURFACING WYMAN STREET, WARD 10.

Coun. FREELEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Wyman street, Ward 10.

Passed under suspension of the rule.

#### SIDEWALKS ALONG WYMAN STREET.

Coun. FREELEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Wyman street, Nos. 1 to 87 and Nos. 2 to 88, Ward 10, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### GENERAL RECONSIDERATION.

On motion of Coun. DOWLING, the Council refused a general reconsideration of all action taken today.

#### THE NEXT MEETING.

On motion of Coun. GILBODY it was voted that when the Council adjourn it be to meet on Monday, June 27, at 2 p. m.

Adjourned at 3.55 p. m., on motion of Coun. PARKMAN, to meet on Monday, June 27, at 2 p. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Monday, June 27, 1927.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President HEFFERNAN in the chair. Absent, Coun. DOWD.

WELCOME TO SUPERVISOR JAMES B. MCSHEEHY.

Coun. DOWLING—Mr. President, I move that Rule 27 of our rules be suspended, and in connection with the motion simply desire to say that in an adjoining room there is a distinguished visitor to Boston in the person of James B. McSheehy, chairman of the Board of Supervisors of San Francisco, a position similar to that which you occupy in this body, Mr. President. Mr. McSheehy is here investigating municipal matters, and I believe incidentally he is a cousin of our City Clerk. I move, therefore, a suspension of the rule, so that a committee may be appointed to escort Mr. McSheehy to the Council Chamber and that the courtesy of the Chamber be extended to him.

The motion was carried, Rule 27 being suspended, and President HEFFERNAN appointed City Messenger Leary to escort Supervisor McSheehy to the platform.

The City Messenger performed the duty assigned, and Mr. McSheehy was welcomed by President HEFFERNAN.

President HEFFERNAN—The Chair will at this time call on our distinguished visitor to make a few remarks. I understand that he is chairman of the Board of Supervisors of the city of San Francisco, a body similar to our Council, and has been a member of the San Francisco government for the past ten years. I am informed that he has recently been in Washington in connection with the petition of the City of San Francisco for the right to construct a bridge between Oakland and San Francisco, a bridge which will be the longest one of the kind in the world and will cost somewhere between \$75,000,000 and \$100,000,000. Mr. McSheehy is also a relative of our genial City Clerk. I take great pleasure in presenting to the body James B. McSheehy of San Francisco. (Applause.)

Mr. MCSHEEHY—Mr. President and gentlemen of the Boston City Council, after an introduction of this kind it is rather hard for a citizen of the wild and woolley West to attempt to address such a dignified body. I had the pleasure of visiting Boston some five years ago. My father was born in Boston. Naturally, Boston is very, very dear to me, and I was greatly elated Saturday and yesterday when my genial relative, your City Clerk, toured the city with me and showed me what had been done during the past five years. I was more than surprised at the vastness of some of the work you have been doing, especially in the widening of your streets. You have accomplished gigantic tasks, undertakings that have cost a great deal of money, and it has been a source of much gratification to me to be able to see what has been accomplished. Last night I visited one of your theaters, and I want to tell you that we have nothing out in San Francisco that is at all comparable with your wonderful Metropolitan Theater here. So, taking it all in all, I have been greatly delighted with my visit to Boston and what I have seen in your city. We have in San Francisco a Board of Supervisors, eighteen in all. We are elected at large for a term of four years. I imagine that our business is similar to your business. I un-

derstand that there are twenty-two members of your Council and that you are elected by districts. When I was here four years ago there were but nine members of your City Council, where there are now twenty-two. I think a council of twenty-two is perhaps a great deal better than one of nine. We are sometimes criticised in our city for being unwieldy but, after all is said and done, there is a great deal of value in the counsel of many minds. I wish to thank you, Mr. President, and gentlemen of the Council, for the courtesy you have extended to me here today, and in behalf of the city and county of San Francisco I extend to you all an invitation to visit at some time in the near future; and I say to you one and all, that if any one of your members or a group of members visit our city I will assure you that the same hospitality will be shown to you that has been shown to me. We, too, have a great city, one to be proud of, but you here in Boston have a great many things that we have not in San Francisco. We may well try to imitate you in some ways. Once again, I thank you, and I hope that I will sometime in the near future be able to reciprocate the hospitality that you have shown me. (Applause.)

President HEFFERNAN—The Chair, on behalf of the Council, thanks Mr. McSheehy for his kind words.

APPOINTMENT OF CONSTABLES.

The following was received:

City of Boston,  
Office of the Mayor, June 22, 1927.  
To the City Council.

Gentlemen,—Subject to the confirmation of your honorable body I hereby appoint the following-named persons as constables of the City of Boston, for the term ending April 30, 1928:

Peter Ellsworth Paulson, 101 Bellevue street, Dorchester, Ward 15; Ralph L. Smith, 27 Worcester square, Boston, Ward 8; George Alton Allison, 34 Worcester square, Ward 8; John S. Avramides, 119 Berkeley street, Ward 5.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.  
Laid over under the law.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,  
Office of the Mayor, June 21, 1927.  
To the City Council.

Gentlemen,—Subject to the confirmation of your honorable body I hereby appoint as weighers the following:

Weigher of Goods, Machinery and Coal: Bernard F. Travers, Boston Consolidated Gas Company, 140 Tremont street, Boston, Mass.

Weighers of Coal: Alexander B. Wiley, 79 Grayfield avenue, West Roxbury; Cecilia McCarthy, Tercilla McCarthy, 58 Dedham street, Revere, care of Berwind's City Fuel Company, 165 Congress street, Boston; J. D. Loughry, 10 Harvard street, Waltham, care of Metropolitan Coal Company; E. A. Marston, 13 Leland street, Malden, care of Burton-Furber Coal Company.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.  
Laid over a week under the law.

POND AND EAST COTTAGE STREETS.

The following was received:

City of Boston,  
Office of the Mayor, June 21, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communication from Street Laying-Out Department



in reply to your order of June 10 in relation to request to designate as a one-way street for north-bound traffic, Pond street and East Cottage street.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Boston, June 20, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Answering the orders of City Councilor Lynch relative to designating Pond street and East Cottage street, Ward 7, one-way streets under the traffic rules.

The Board considers the making of new one-way streets a major amendment to the traffic rules, and the Board is at present under promise to the Mayor's Traffic Advisory Board not to make any such amendments to the rules until the report of this Advisory Board has been presented. This report has been promised for December of this year.

Respectfully,  
For the Board of Street Commissioners,  
THOMAS J. HURLEY, Chairman.  
Placed on file.

#### ENFORCEMENT OF PARKING REGULATIONS.

The following was received:

City of Boston,  
Office of the Mayor, June 22, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communication from the Fire Department in reply to your order of June 6 in relation to information regarding the enforcement of parking regulations, which will permit the Fire Department to operate efficiently upon city streets.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Fire Department, June 16, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council on June 6, 1927:

"Ordered, That the Fire Commissioner, through his Honor the Mayor, be requested to inform the City Council what steps, if any, are being taken to enforce parking regulations, which will permit the Fire Department to operate efficiently upon the streets of the city.

In City Council, June 6, 1927. Passed.  
Attest:

W. J. DOYLE,  
Assistant City Clerk."

In reply thereto I would say that everything is being done under the law to facilitate the passage of fire apparatus through the streets of the City of Boston. In accordance with chapter 278 of the Acts of 1926, cases that come to the attention of the Fire Commissioner, where operators of automobiles who maliciously violate the provisions of section 7A, chapter 89, of the General Laws, are reported to the Registrar of Motor Vehicles.

Every assistance is being rendered by the Police Department to relieve the congestion.

Yours very truly,  
E. C. HULTMAN,  
Fire Commissioner.

Placed on file.

#### NEEDS OF TENEAN BEACH.

The following was received:

City of Boston,  
Office of the Mayor, June 24, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in

reply to your order of June 6, 1927, in relation to conducting a study of the needs of Tenean Beach, Dorchester.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, June 20, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of June 10, with inclosure, order of the City Council relative to conducting a study of the needs of Tenean Beach, Dorchester, and in reply I desire to say that there is no doubt but what the small area now under the control of the Park Department should be increased. Freeport street will be closed within a short while, and all the bathing in the Dorchester district will have to be cared for at Tenean Beach.

At the present time there is available land fenced off by the owners which can be purchased for the assessed valuation. As it is in the market, there is no telling when same may be purchased by some manufacturing concern which will remove the beach rights and also the unoccupied land.

Tenean Beach is one of the most popular bathing resorts under the control of the Park Department and we should have as much available waterfront in this vicinity as it is possible to obtain to care for the populace.

Very truly yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

#### PRICES FOR REFRESHMENTS, HEADHOUSE.

The following was received:

City of Boston,  
Office of the Mayor, June 24, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of June 14, 1927, in relation to list of prices to be charged for refreshment at the Headhouse, South Boston.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, June 23, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of June 22, with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to submit to the City Council a list of prices to be charged for refreshments at the Headhouse, South Boston.

In reply I desire to submit the following:

Ice cream soda, 20 cents; cones, small, 5 cents; cones, large, 10 cents; hot dogs, 10 cents; peanuts, 5 cents; popcorn, 5 cents.

Very respectfully yours,  
W. P. LONG, Chairman.

Placed on file.

#### MUNICIPAL GOLF LINKS, LONG ISLAND.

The following was received:

City of Boston,  
Office of the Mayor, June 24, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of June 14, 1927, in relation to considering the advisability of establishing a municipal golf links on Long Island.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, June 23, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of June 22, with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to consider the advisability of establishing a municipal golf links on Long Island.

In reply I desire to say that the Board of Park Commissioners does not think it advisable to make this study as it feels there is not enough available land on Long Island to properly build a municipal golf links of eighteen holes.

Very respectfully yours,  
W. P. LONG, Chairman.

Placed on file.

## BENCHES, RICHARDSON PARK.

The following was received:

City of Boston,

Office of the Mayor, June 24, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of June 14, 1927, in relation to the installation of benches in Richardson Park, Dorchester.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, June 23, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of June 22, with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to install benches in Richardson Park, Dorchester.

In reply I desire to inform you that benches were taken from this park a few years ago at the request of the abutters and the Board of Park Commissioners does not think it advisable to install them again on account of the objections which the abutters will have.

Very respectfully yours,  
W. P. LONG, Chairman.

Placed on file.

ADDITIONAL ATTENDANTS, L STREET  
BATH HOUSE.

The following was received:

City of Boston,

Office of the Mayor, June 24, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of June 14, 1927, in relation to providing additional attendants at L street bathhouses.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, June 23, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of June 22, with inclosure, order from the City Council that the Park Commissioner, through his Honor the Mayor, be respectfully requested to provide additional attendants forthwith at the L street bathhouses.

In reply I desire to say that additional attendants will be furnished whenever required—at the present time there are enough attendants to take care of the patronage.

Very respectfully yours,  
W. P. LONG, Chairman.

Placed on file.

## PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

## Claims.

Julia Belinski, for compensation for injuries caused by an alleged defect at 16 Spring street.

Francis J. Bonner, for compensation for damage to property at 18 Marshall street, caused by broken water pipes.

Timothy and Lena Carbury, for compensation for collapse of boiler at 6 Gibson street, caused by shutting off water.

Abraham Cohan, for compensation for damage to property at 98 West Cedar street, caused by city employees.

Jack Cottovitz, for compensation for damage to property on William street terrace, caused by city truck.

Violetta DeDeo, for compensation for damage to automobile by fire apparatus.

Mrs. Lucia Delaspro, for compensation for injuries received on ferryboat.

Frank Fasano, for compensation for damage to car by city truck.

Fillipo and Maria Gentile, for compensation for damage caused by tax sale of property at 32 Bremen street.

Grace Gilman, for compensation for injuries caused by an alleged defect in Blue Hill avenue.

David Govenar, for refund on building and garage permits.

Delia E. Griffin, for refund on tax bill paid by mistake.

William T. Handy, for compensation for injuries caused by city truck.

Rose Hesterman, for compensation for injuries caused by an alleged defect in Talbot avenue.

Hyman Himelfarb, for refund on victualler's license.

Thomas E. Joyce, for compensation for damage to automobile by city truck.

Rose Katz, for compensation for injuries caused by an alleged defect at 98 Quincy street, Roxbury.

Mary E. Kelley, for compensation for injuries caused by city truck.

Elizabeth Leonardi, for compensation for injuries caused by an alleged defect in steps of Faneuil Hall Market.

Katherine McCarthy, for compensation for injuries caused by an alleged defect in Dorchester street.

Adelaide Merriam, for compensation for injuries caused by an alleged defect at 427 Massachusetts avenue.

Mary Millman, for compensation for damage to property by city employees.

Nicholas Padis, for compensation for injuries received on ferryboat.

John Romanowicz, for compensation for injuries caused by an alleged defect at 15A Leverett street.

Jennie Rosen, for compensation for injuries caused by an alleged defect at 94 Floyd street, Dorchester.

Annie Sherman, for compensation for injuries caused by an alleged defect at 27 Spring street, Boston.

Max Siegel, for compensation for damage to property at 1162A Blue Hill avenue, caused by breaking of water main.

Silverstein & Co., for compensation for damage to property caused by broken water mains.

Isabel Wilkie, for compensation for injuries caused by an alleged defect at Trenton and Prescott streets.

Florence C. Cormick, for compensation for damage to clothing caused by defect in sidewalk in front of Educator Shoe Store on Tremont street.

Highland Garage, Inc., for compensation for damage to property at 1790 Centre street, West Roxbury, caused by water backing into cellar.

## PROPOSED FIRE STATION, WEST END.

The following was received:

The Finance Commission, 11 Beacon Street,  
Boston, June 27, 1927.

To the Honorable the City Council.

Gentlemen,—The Finance Commission submits herewith a report on the communication and loan order for a new fire station in the West End, submitted by his Honor the Mayor to your honorable body on June 6, 1927.

The Fire Commissioner proposed in his report to the Mayor, dated December 21, 1927, that a new fire station be built in the West End to house four fire companies. If this is done he intends to abandon the fire houses on Bulfinch, Leverett and North Grove streets and to house the companies occupying these quarters, as well as the fire tower formerly located in this district, in this building.

The Finance Commission inspected the houses in question and witnessed a demonstration of running the apparatus in and out. Although the interior of one of the houses has been painted and improved, it found in general that the description given by the Fire Commissioner in his report was justified. The buildings are obsolete and poorly located. It is difficult to manœuvre the apparatus in the narrow streets and it would be impracticable to use one of the houses and impossible to use the other two for the longer apparatus now required for fighting fires in high buildings. The commission is of the opinion that this proposal of the Fire Commissioner should be carried out.

The Fire Commissioner suggested that the lot at the corner of Bulfinch and Cambridge streets, which is the remnant of the Revere House lot after the widening of Cambridge street, would be an "ideal site for the new house." It is the opinion of the commission that the lot recommended is well adapted for the purpose. It has sufficient frontage on a broad thoroughfare, is located at the crown of the hill and affords access through several streets to the district to be protected. It is not the duty of the commission, however, to select the site and if the lot in question cannot be obtained at a proper price some other lot should be selected.

While agreeing with the Fire Commissioner as to the desirability of housing the several pieces of apparatus in one new station on a suitable lot, the commission feels called upon to comment on the position taken in the matter by Mr. Warren F. Freeman, the city's real estate agent. He, with two other real estate men, was directed to report on possible sites for the consolidated fire house in the West End. He made a written report to the Mayor, in which he described some eight or ten separate parcels of land. The first four adjoin each other, three fronting on Sudbury street, near Hanover street, and the fourth on Hanover street but adjoining the others in the rear. For fire house development part or all of these lots could be considered as one large parcel. Another parcel mentioned was at the junction of Cambridge and Green streets, the building being known as the Parkman Building. Several adjoining lots at the corner of Cambridge and Chardon streets, owned by the New England Telephone and Telegraph Company, practically constituting one parcel, were described. The last lot mentioned by the real estate agent was the Revere House lot in question. In the report he pointed out certain advantages or disadvantages of the various lots described. Referring to the Revere House lot, he said, "This lot used in connection with the city's lot adjoining on Bulfinch street in the rear would make, in my opinion, an ideal site for the new Central Fire Station in that section of the city, as Cambridge street and Bowdoin square in front of the property are of sufficient width to handle any and all fire apparatus that the city now has or would have for many years to come."

The Revere House lot is owned by a Massachusetts corporation called the Revere Building, Incorporated. One half the interest in this corporation is owned by Mr. Freeman. In his written report he did not disclose to the Mayor that he was interested in this lot. Ap-

pearing before the commission, Mr. Freeman testified that the Mayor knew he was interested in the property as an owner, but that he did not think the Mayor knew his particular interest. He also said that though he did not tell the Mayor he was personally interested, the Mayor knew it because he had refused permits to conduct a bowling alley and a dance hall on the premises.\*

In a communication answering an inquiry from the commission, the Mayor stated: "At the time Mr. Freeman submitted his report upon fire-house sites in the Bowdoin square district, he made no reference to his interest in the Revere House property. He had, however, called the attention of this office to his interest some time ago, when an application for a license for the use of this property was refused by me. At that time I did not learn the exact nature of his interest and had long since dismissed it from my mind when the three fire-house reports were received. When I received these reports I was, of course, aware that he had some sort of interest in the Revere House parcel, because it is a matter of common knowledge. In fact it is indicated by a generous display of his placards all over the property."

Holding the position of real estate agent of the city, it was the duty of Mr. Freeman to make sure beyond a doubt that his private interest in any site recommended was known at the time of his report. It is obvious that he should not represent the city further in obtaining a site for the fire station in this district.

The location recommended by the Fire Commissioner was in 1926 assessed for both land and buildings for \$260,000. The assessors' records indicate that in making the assessment the building on the land was estimated to be two-thirds finished. The Boston Real Estate Exchange was employed by the Finance Commission to make an official appraisal of the property. Under date of June 24, 1927, it certified † that in the opinion of its Appraisal Committee the fair valuation of the property as of that date was \$300,000. The Finance Commission has before it evidence of the amount paid by the present owners for the land and of the cost of the building erected thereon. On all the evidence before it the commission finds that \$300,000 is a fair value for the property. The Mayor, however, has recommended that a loan order for \$750,000 be passed by your honorable body, of which \$400,000 is estimated as the cost of the site. If the amount of \$300,000 is granted for the site the loan order may be reduced to \$650,000. If it should turn out that more than \$300,000 is required for the site, the City Council can increase the amount of the loan. On the other hand, if it provides the full amount now requested, it has placed the determination of the amount to be expended beyond its control.

The Finance Commission therefore recommends:

1. That a loan order be passed to enable the Fire Department to carry out its plan of abandoning three inadequate fire stations and of building a new station to accommodate four fire companies.

2. That, if the pending loan order is to be passed on the basis of the location approved by the Fire Commissioner, not more than \$300,000 be allowed for the site and not more than \$350,000 for erecting the new building.

Respectfully submitted,

THE FINANCE COMMISSION,  
by CHARLES L. CARL,  
Chairman.

\* Mr. Freeman's testimony on this point is set forth in Appendix A.

† A copy of this certificate is annexed as Appendix B.

## APPENDIX A.

Testimony of Warren F. Freeman before the Finance Commission, June 9, 1927.

A. I didn't tell him I was personally interested, but he knew it because—if you want to hear a little history—we had an opportunity to rent the second floor on a five-year



lease for a dance hall for \$——, on a graded lease up to \$——. We had a chance to rent to the same man the basement on a graded lease from \$—— to \$—— for a bowling alley, and the Mayor refused to sign them both and threw them out of the window, and the statute says he shall sign the permit. There is an action over here now in the Superior Court to oblige him to.

Q. That is how he knew of it? A. He knew I was interested as an owner. I don't know as he knew my particular interest. I don't know as he knew any of the details. I never told him and he never asked me.

Q. Did you discuss the matter with him and tell him you owned that property? A. No more than any property. I gave him my report.

Q. So when the Mayor assigned you to this particular job he did know you owned the Revere House parcel with Mr. Dobbins? A. I am inclined to think [he knew] that I was interested, but what my interest was, I don't know whether he did or not.

Placed on file.

#### PIPE LOCATION, OLD COLONY PARKWAY.

A communication was received from the Metropolitan District Commission with copy of order of said commission granting to Boston Consolidated Gas Company location for gas main in Old Colony Parkway.

Placed on file.

#### REMOVAL OF CONSTABLE.

Notice was received from his Honor the Mayor of removal from position of constable of Philip Saklad.

Placed on file.

#### SALARIES OF PROBATION OFFICERS, MUNICIPAL COURT.

A communication was received from Chief Justice Wilfred Bolster giving salaries fixed for probation officers in Municipal Court.

Referred to Committee on County Accounts.

#### APPROVAL OF CONSTABLES' BONDS.

The constables' bonds of the following, having been duly approved by the City Treasurer, were received and approved, viz., Leslie P. Mann, Francis E. Kelly, Arthur Glass, Peter C. Foy, Ralph J. Banks, Atlante Campagna.

#### PAY ROLL, REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds for the period from May 16 to June 18, 1927, amounting to \$9,468.69, was received and approved.

#### PLAYGROUND NEAR CLARENDON HILLS STATION.

Coun. WRAGG offered the following:

Ordered, That the Park Commissioners be requested, through his Honor the Mayor, to provide a playground in the vicinity of Clarendon Hills Station, Hyde Park, to serve the new proposed high school, the Metropolitan Hill section and the Mount Hope section of Ward 18.

Passed under suspension of the rule.

#### SMITH'S POND PLAYGROUND.

Coun. WRAGG offered the following:

Ordered, That the Park Commissioners be requested, through his Honor the Mayor, to put Smith's Pond Playground in condition.

Coun. WRAGG—Mr. President, I might state,

in connection with this order, that the playground referred to is one of the old playgrounds in my district. As a matter of fact, it is the only playground we have there. It was given to the city some few years ago and in 1916 the city did some work there, making it possible in a way to use the ground as a playground at that time. Since then nothing has been done. The playground has been allowed to go from bad to worse, until that has become a very dangerous and swampy piece of ground. It is not a place where children could or should play; as a matter of fact, it is not a playground now at all. Last year I had an estimate made by the Park Commissioners of the cost of putting this playground in condition, and we were told that it would cost some \$39,000. The grounds are so poor that the high school in its recent games used Roslindale grounds to play their games upon, with other schools in Boston. Therefore, I move a suspension of the rule and the passage of the order.

Coun. GUILD—Mr. President, I would like to inquire if the councillor who has introduced the order is prepared to state to the Council how much will be left in the item in the budget for the improvement of playgrounds, provided \$39,000 is spent to fix up this one playground?

Coun. WRAGG—Mr. President, I am not prepared to say. I am prepared to say that the ground is in bad condition and would be improved if they would spend any amount on it. I don't care if they spend only \$1,000, if the youngsters will be able to play ball there. The order provides for \$39,000, the amount that we were told would fix up the grounds, but if they can spend \$1,000 or \$2,000 or whatever may be necessary to put the grounds in condition for a playground—in a condition where it can be used—I shall be satisfied.

The order was passed under suspension of the rule.

#### LICENSES FOR PARKING ON VACANT LAND.

Coun. GUILD offered the following:

Be it ordained by the City Council of Boston, as follows:

Section 1. No person, firm, corporation or real estate trust which owns, occupies or controls vacant land in the City of Boston shall permit the whole or any part thereof to be used for the storage or parking of motor vehicles, except such as are owned by the person, firm, corporation or real estate trust owning or controlling such land, without first obtaining a license for such use of such land from the Board of Street Commissioners.

Section 2. The Board of Street Commissioners shall not issue any license under the foregoing section unless and until the application therefor is approved in writing by the Fire Commissioner.

Section 3. The fee for such license shall be one hundred (100) dollars per annum for each ten thousand (10,000) square feet of land or fractional part thereof so used or five dollars per day for the same area.

The ordinance was declared referred to the Committee on Ordinances.

Coun. WARD—Mr. President, I think that is unconstitutional, and I move that it be referred to the Law Department.

The ordinance was referred to the Committee on Ordinances.

#### PAVING OF WILLIAMS STREET.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Williams street, West Roxbury.

Passed under suspension of the rule.

## SIDEWALK ON SUNNYSIDE STREET.

Coun. FREELEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Sunnyside street, from Westerly street to Creighton street (southerly side), Ward 10, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

## PLAYGROUND IN GERMANTOWN.

Coun. KEENE offered the following:

Ordered, That the sum of fifty thousand dollars be and hereby is appropriated for the purpose of purchasing land for the construction of a playground in that part of Ward 20 known as Germantown.

Referred to the Committee on Finance.

## PLAYGROUND IN BRIGHTON.

Coun. KEENE, for President Heffernan, offered the following:

Ordered, That the sum of seventy-five thousand dollars be and hereby is appropriated to be expended under the direction of the Park Department for the purchase of land in Brighton, in the section bounded by Arlington, Market, Faneuil and Parsons streets, to be used as a playground, and that to meet such expense the City Treasurer be authorized to issue, from time to time, at the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

## SIDEWALK ON LONGWOOD AVENUE.

Coun. ARNOLD offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Longwood avenue, southwesterly side, from Brookline avenue to Riverway, Ward 4, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

## SIDEWALK ON BROOKLINE AVENUE.

Coun. ARNOLD offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Brookline avenue, from Fenway to Riverway, Ward 4, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

## LAYING OUT ACADIA STREET.

Coun. MAHONEY offered the following:

Ordered, That the Board of Street Commissioners be requested to accept and lay out as a public street Acadia street, Ward 6, from East First to East Second street.

Passed under suspension of the rule.

## HEARINGS ON GASOLINE LICENSES.

Notices were received of hearings before the Board of Street Commissioners on July 5 and July 11, 1927, on various petitions for licenses for the storage and sale of gasoline.

Referred to the Executive Committee.

## IMPROVEMENT OF TENEAN BEACH.

Coun. GILBODY offered the following:

Ordered, That the sum of fifty thousand dollars be and hereby is appropriated to be expended under the direction of the Park Department for the improvement of Tenean Beach in Dorchester, and that to meet such expense the City Treasurer be authorized to issue, from time to time, at the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to Committee on Finance.

## RECESS.

On motion of Coun. PARKMAN the Council voted at 2.30 p. m. to take a recess, subject to the call of the Chair. The members reassembled in the Council Chamber, and were called to order by President HEFFERNAN at 3.03 p. m.

## EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following:

1. Reports recommending that notices of hearings before the Street Laying-Out Department for storage and sale of gasoline be placed on file, as follows:

December 27, 1926, Joseph P. McCabe, Carl O. Olsson and George I. Blumberg.

January 3, 1927, William A. Foley, Gulf Refining Company, Harry B. London, Annie P. Marks *et al.* and Mary Wallace.

January 24, 1927, Dennis J. Daley, E. G. Leighton, Louis Vogel, George Levine and North Station Garage Company.

January 31, 1927, Transportation Buildings Corporation, Anna L. Doherty and N. E. Velie Company.

February 7, 1927, J. M. Barksdale *et al.*, John A. Kiggen and Dennis J. Sweeney.

February 14, 1927, Carl O. Olsson.

February 21, 1927, Benjamin Levine and Public Works Department, 636 Albany street.

February 28, 1927, Academy Garage, Frederick W. O'Connor and John J. Shempa.

March 21, 1927, R. S. Brine Transportation Company, Aetna Petroleum Company, J. Sumner Draper, Calile J. Maloof and Modern Battery and Tire Service Company.

March 28, 1927, City Land Company and Benjamin Langillo.

April 4, 1927, John A. Rockett, John W. Baldwin, Ralph E. Small and John Timon.

April 11, 1927, Marshall B. Hall Company, Henry W. Hebb, David Ovans and Vasilio Primpas *et al.*

April 18, 1927, Daniel J. Carroll, Emma J. Finegan, G. Hagopian, William Odlin, Trustee Northern Realty Trust, Max Kline, Luigi Ricci, John A. Sullivan and Ernest A. Thompson.

April 25, 1927, Sadie Kostick, George A. Leslie and Ellen A. Williams Morrill.

May 2, 1927, Florence K. Barry, Hans M. Johnson, Frances DeVirgilio, Gulf Refining Company, Leighton & Barrie, Najeeb N. Meshaka, Shea-Stevenson Company, Samuel Skolnick and H. A. Stevenson.

May 9, 1927, W. F. Loughman, John F. Coleman and Standard Oil Company of New York.

May 16, 1927, Joseph Corman and Emma Sampson.

May 23, 1927, Jacob Brown, John P. Clancy, N. E. Rendering Company and James P. Pierce.

May 31, 1927, John W. Biggs, John W. Biggs and Boston Yacht.

Report accepted; said notices severally placed on file.

2. Report on names of certain constables which were referred to and have been under consideration of the committee—recommending that the name, No. 11, of Barnet Levenbaum, No. 15, John F. Welch, No. 12, Corrado Palladino, and No. 14, Roman J. Vasil, be confirmed; and that No. 9, John H. Brady, No. 13, Maurice Rosenberg, and No. 15A, Albert V. Walton, be rejected; and that the name, No. 10, of Thomas Cannizzaro be laid on the table.

Report accepted.

President HEFFERNAN—The question first comes on confirmation of the appointment of John H. Brady, No. 9 on the calendar. The committee recommends that the name be rejected. Committee, Coun. McGrath and Engert.

Whole number of ballots on confirmation of John H. Brady, 16; yeas 3, nays 13, and the appointment was rejected.

In accordance with the report of the committee the name of Thomas Cannizzaro, No. 10, was laid on the table.

The question came on confirmation of the appointment of Barnet Levenbaum. Committee, Coun. Ruby and Mahoney. Whole number of ballots, 16; yeas 13, nays 3, and the appointment was confirmed.

The question came on confirmation of the appointment of Corrado Palladino. Committee, Coun. McMahon and Parkman. Whole number of ballots, 18; yeas 12, nays 6, and the appointment was confirmed.

The question came on confirmation of Maurice Rosenberg.

Coun. WILSON—Mr. President, I will simply say, in relation to this one name, that Mr. Rosenberg wishes to resign. He does not want the job. He has no wish to do this sort of work. That is the reason why the committee reported unfavorably.

Coun. WARD—Mr. President, I move that the name of Maurice Rosenberg be laid on the table.

Coun. WILSON—I would simply ask, Mr. President, if it is laid on the table, if it is going to appear before us on the calendar week after week.

President HEFFERNAN—Yes, until it is acted upon.

Coun. WARD—Mr. President, I believe this is the man who came and told the committee just what he thought of everybody, with fire in his eyes. I don't think his name should pass. I think there should be an opportunity to interview some of these men who come before the Committee on Constables. If this is referred back it will satisfy me.

Coun. WILSON—Mr. President, I would just suggest that, Coun. Ward being a member of the Committee on Constables, we would have welcomed his presence last Friday afternoon, at which time the matter was gone into.

Coun. RUBY—Mr. President, in regard to Mr. Rosenberg's name, if a letter is sent to his Honor the Mayor with his resignation, will it then be necessary to have any further action taken by this body?

President HEFFERNAN—The Chair will rule that it would not be; that if the resignation is sent to his Honor the Mayor no further action will be necessary.

Coun. RUBY—Then, Mr. President, I ask that this name lie on the table, so that he will not have the record of rejection standing against him, and so that I may get him to send a letter to his Honor the Mayor before the next meeting.

The name of Maurice Rosenberg was laid on the table.

The question came on confirmation of Roman J. Vasil. Committee, Coun. Gilbody and Fitzgerald. Whole number of ballots, 16; yeas 15, nays 1, and the appointment was confirmed.

The question came on the confirmation of John F. Welch. Committee, Coun. Wragg and Green. Whole number of ballots, 18; yeas 14, nays 4, and the appointment was confirmed.

The question came on confirmation of Albert V. Walton. Committee, Coun. Guild and Keene. Whole number of ballots, 18; yeas 3, nays 15, and the appointment was rejected.

#### PUBLIC LANDS.

Coun. McGRATH, for the Committee on Public Lands, submitted a report on the order (transmitted by the Mayor and referred June 6) authorizing the Mayor, in the name and behalf of the city, to lease to the United States Government the land of Spring street, in West Roxbury, formerly used and occupied as the West Department of the Boston City Hospital,—that the same ought to pass.

Report accepted; said order passed, yeas 16, nays 0.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President HEFFERNAN, under unfinished business, called up No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor June 14, 1927, of Matilda R. Hawkes and Hugh I. Wrye to be Weighers of Coal. The question came on confirmation of the appointments. Committee, Coun. Ward and Donovan. Whole number of ballots, 16; yeas 16, and the appointments were confirmed.

#### LEASE TO THOMAS J. FITZGERALD POST.

President HEFFERNAN called up under unfinished business No. 7 on the calendar, viz.:

Ordered, That his Honor the Mayor be and he hereby is authorized, in the name and behalf of the City of Boston, and in form satisfactory to the Law Department, to execute a lease to Thomas J. Fitzgerald Post 561, Veterans of Foreign Wars of the United States, of the room in the Municipal Building, South Boston, formerly occupied by the American Red Cross, for a term of one year beginning June 1, 1927, at a rental of \$1 per annum.

On June 6, 1927, the foregoing order was read once and passed, yeas 20, nays 0.

The order was given its second and final reading and passage, yeas 17, nays, Coun. Dowling, 1.

#### CONSTABLES APPROVED.

Coun. GILBODY—Mr. President, for the Executive Committee I wish to call up the appointment, under No. 2 on the calendar, of Jeremiah J. Mahoney to be a constable, and under No. 6 on the calendar the appointment of Morris Berkman to be a constable. The committee recommends the appointment of both constables.

The question came on confirmation of the appointment of Jeremiah J. Mahoney and Morris Berkman to be constables. Committee, Coun. Dowling and Ward. Whole number of ballots, 18; yeas 18, and the appointments were confirmed.

#### PURCHASE OF LAND IN EAST BOSTON.

Coun. DONOVAN offered the following:

Ordered, That the sum of one hundred thousand dollars be and hereby is appropriated to be expended under the direction of the Park Department for the purchase of land in what is known as the Fourth Section area



of East Boston and the grading, construction, etc., thereof as a playground, and that to meet such expense the City Treasurer be authorized to issue, from time to time, at the request of the Mayor, bonds or certificates of indebtedness of the City to said amount.

Referred to the Committee on Finance.

#### HANDBALL COURTS, WORLD WAR MEMORIAL PARK.

Coun. DONOVAN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the installation of handball courts at World War Memorial Park, East Boston, and that the expense of same be charged to the Parkman Fund.

Passed under suspension of the rule.

#### ANNUITY TO WIDOW OF FRANK H. LASKEY.

Coun. DONOVAN offered the following:

Ordered, That an annuity of six hundred dollars be allowed and paid to the widow of Frank H. Laskey, late member of the Boston Fire Department, who died from injuries received in the performance of his duty, such annuity to continue so long as said widow remains unmarried, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Referred to the Executive Committee.

#### BOULEVARD SYSTEM OF STREET LIGHT- ING, ST. BOTOLPH STREET.

Coun. ARNOLD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install the so-called boulevard system of street lighting on St. Botolph street, between West Newton street and Massachusetts avenue, to replace the antiquated lamps now in use on that thoroughfare.

Passed under suspension of the rule.

#### REPAVING OF F STREET, SOUTH BOSTON.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement F street, South Boston, from First to East Fourth streets.

Passed under suspension of the rule.

#### SWINGS, ETC., AT FATHER BUCKLEY PLAYGROUND.

Coun. MAHONEY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the installation of swings and sand boxes at the Father Buckley Playground, West Third street, South Boston.

Passed under suspension of the rule.

#### ADDITIONAL TENNIS COURTS NEAR AQUARIUM.

Coun. MAHONEY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the construction of two additional tennis courts near the Aquarium, South Boston, the expense of same to be charged to the Parkman Fund.

Passed under suspension of the rule.

#### ARC LAMP AT FOREST HILLS AND WASHINGTON STREETS.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an electric arc lamp at the junction of Forest Hills and Washington streets, Ward 11.

Passed under suspension of the rule.

#### SWIMMING POOL, CHARLESTOWN HEIGHTS.

Coun. GREEN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to consider and report to the City Council as to the advisability of constructing an all-year-round swimming pool on Charlestown Heights for the use of men, women and children in said section.

Passed under suspension of the rule.

#### REPAVING OF RUTHERFORD AVENUE.

Coun. GREEN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the repaving of Rutherford avenue, Charlestown, from Chapman street to City square.

Passed under suspension of the rule.

#### REPAVING OF CHAPMAN STREET.

Coun. GREEN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the repaving of Chapman street, in the Charlestown district.

Passed under suspension of the rule.

#### REPORT OF COMMITTEE ON ORDINANCES.

Coun. WILSON, for the Committee on Ordinances, submitted report in regard to ordinance concerning contracts made by city with plants located in the United States, recommending passage of ordinances in following new draft, viz.:

An Ordinance Concerning Contracts with  
the City of Boston.

Be it ordained by the City Council of Boston,  
as follows:

Chapter 40 of the Revised Ordinances of 1925 is hereby amended by striking out the semi-colon at the end of Clause A of section 13 and adding the words "whose plant or plants are located in the United States"; and by striking out the semi-colon at the end of Clause B of said section and adding the words "and the plant or plants of which corporation or other legal association are located in the United States"; so that section 13, Clauses A and B, of said Revised Ordinances of 1925, shall read as follows:

SECT. 13. No contract shall be made by the city except with (a) individual citizens of the United States whose plant or plants are located in the United States;

(b) corporations or other legal associations wherein the controlling interest to the extent of at least over one-half thereof is owned by a citizen or citizens of the United States and the plant or plants of which corporation or other legal association are located in the United States.

Coun. WILSON—Mr. President, I will merely say that the existing ordinance requires that a person with whom the city makes a contract must be a citizen or that a corporation must have a majority of its stockholders citizens of the United States. This proposed revision of the ordinance makes the additional require-

ment that the plant of the person who contracts with the city must be located in the United States.

Coun. KEENE in the chair.

Coun. HEFFERNAN—Mr. President, I am in sympathy with this ordinance, but one thought that strikes me is that there are, I assume, various forms of merchandise or manufacture that the City of Boston uses that cannot be manufactured in this country. I understand, for instance, that in the George R. White units a certain kind of opaque glass is used which is manufactured abroad and is not made in this country. I would like to ask if, in making such a new draft of the ordinance as is here proposed, it would not be wise to make a provision covering anything of that kind? I would suggest that this be printed on the calendar and acted upon at the next meeting, so that if anybody then has any appropriate amendments to make they may be considered at that time.

Coun. WILSON—Mr. President, I assume that there will be no objection on the part of the committee to this being allowed to remain on the calendar. I would assume that if there are rare glasses or other items of merchandise that the city wants to obtain, and which are not manufactured in the United States, they could be obtained through a citizen of the United States, even if they had to be brought over from Europe. However, I think there is no objection to this lying on the table.

President KEENE—The ordinance will be assigned to the next meeting, unless there is objection.

The ordinance was assigned to the next meeting of the Council.

#### LEASE OF LAND FOR MOTHERS' REST.

Coun. FITZGERALD offered the following:

Ordered. That his Honor the Mayor request the Board of Park Commissioners to consult with the Trustees of the Boston Elevated Railway Company for the purpose of leasing the land owned by said company located on Lovell and Willard streets, West End, the same to be used as a mothers' rest.

Passed under suspension of the rule.

#### REPAVING FREEPORT STREET.

Coun. McMAHON offered the following:

Ordered. That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Freeport street, from Dorchester avenue to the railroad bridge, Ward 15.

Passed under suspension of the rule.

#### DE LUXE BUSES FROM BROOKLINE.

Coun. RUBY—Mr. President, about two months ago there was an order of some kind put in with reference to an investigation of the so-called de luxe buses which are being run from the Brookline line down through Beacon street. I wonder if there has been any report of any kind from anybody with reference to the matter, and why these buses are still being run on the streets of Boston

in spite of the fact that the jitney committee and the City Council have refused a license for them.

President HEFFERNAN in the chair.

President HEFFERNAN—The Chair would say that, so far as he knows, the order is still in the hands of the Committee on Jitneys and no action has yet been reported to the body.

Coun. RUBY—Mr. President, may I ask what the procedure would be so that these buses, which are illegally on the streets of Boston, may be removed from the streets of Boston by the proper officials.

President HEFFERNAN—The Chair would say that his own personal opinion is that the buses in question were given a license by the former Council. I am simply stating that as my own opinion. I would state further that if they are illegally on the streets, it is an indictment of Boston's police officials, whose duty should be to get them off the streets if they are illegally there.

Coun. RUBY—Mr. President, while I was a member of the Jitney License Committee a request for a permit to operate the so-called de luxe buses from the Brookline town line down Beacon street at twenty-five cents per passenger was presented, and the committee at that time recommended the rejection of that petition. So, as I recollect, the City Council of 1926 went on record as against granting that permit.

President HEFFERNAN—The Chair would say that so far as he knows the buses are not operated under any such permit. I understand that that was a request for a change of routing, a modification of an existing route previously granted. That is my personal opinion in the matter.

Coun. RUBY—I may be in error, but I understood that that was a request for the right to run a new bus line.

President HEFFERNAN—The Chair will simply say that he thinks the former Council gave the permit to operate from Boston to Brookline, that they then came in with a request to go through Allston instead of Brookline, which request was denied last year, and that they are now operating under a permit granted in 1925 by the old Council. That is as the Chair understands the matter.

Coun. WILSON—Mr. President, might I suggest that the situation would be very much clarified if the Jitney Committee would report back on the two orders before them at an early date?

President HEFFERNAN—The committee will take due notice.

#### THE NEXT MEETING.

On motion of Coun. KEENE it was voted that when the Council adjourn today it be to meet on Monday, July 11, at 2 p. m.

#### GENERAL RECONSIDERATION.

On motion of Coun. McMAHON, a general reconsideration of all action taken today was refused.

Adjourned at 3.29 p. m., on motion of Coun. DOWLING, to meet on Monday, July 11, at 2 p. m.





## CITY OF BOSTON.

## Proceedings of City Council.

Monday, July 11, 1927.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President HEFFERNAN in the chair. Absent, Coun. Gilbody.

## JURORS DRAWN.

Jurors were drawn in the manner prescribed by law, the Mayor absent, viz.:

Four additional grand jurors, Superior Criminal Court, to appear August 1, 1927:

John T. Reardon, Ward 2; Thomas H. Lynch, Ward 16; Thomas J. Cunningham, Ward 18; Michael H. Watters, Ward 22.

Forty traverse jurors, Superior Criminal Court, to appear August 1, 1927:

William E. Bell, Ward 1; John J. Perrier, Ward 1; Charles F. Rahn, Ward 2; Samuel W. Baldwin, Ward 3; William E. Kenney, Ward 3; William M. Kirby, Ward 3; Edwin D. Dodge, Ward 5; Winslow B. Felton, Ward 5; Patrick E. McLaughlin, Ward 7; Thomas P. Moore, Ward 7; Edward H. Suggs, Ward 9; Anton C. Beck, Ward 10; Frank J. Coffey, Ward 10; James F. Flannery, Ward 10; Thomas Greeley, Ward 10; William H. Tirrell, Ward 10; William F. Butler, Ward 11; John W. Flynn, Ward 11; Leroy T. Morrill, Ward 11; Fred J. Rau, Ward 11; John F. Lennon, Ward 12; Peter Ribbs, Ward 12; Daniel F. Murphy, Ward 12; Francis M. Campbell, Ward 13; Richard J. Shaw, Ward 13; Benjamin L. Gale, Ward 14; Max Silk, Ward 14; Ernest J. B. Hampe, Ward 15; Bernard E. Doherty, Ward 16; Robert E. Wilson, Ward 16; Ferdinand J. L. Hoss, Ward 17; Charles A. Romkey, Ward 17; Harold W. Hunter, Ward 20; John Schneider, Ward 20; Josiah L. Walker, Ward 20; George Ross, Ward 21; Joseph Spellman, Ward 21; William F. Carter, Ward 22; George A. McCarthy, Ward 22; Harold A. Phelps, Ward 22.

## APPOINTMENT OF CONSTABLES.

The following was received:

City of Boston,

Office of the Mayor, July 8, 1927.

To the Honorable City Council.

Gentlemen,—I hereby appoint Frederick O. Houghton, 51 Carver street, Boston, as constable for the City of Boston, to April 30, 1928. He is connected with the Animal Rescue League, and will serve without bonds.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Laid over under the law.

## APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,

Office of the Mayor, July 8, 1927.

To the City Council.

Gentlemen,—Subject to the confirmation of your honorable body, I hereby appoint as weighers of coal, the following: Frank R. Oxy, Suffolk Coal Company; Arthur W. Hill, Suffolk Coal Company.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Laid over a week under the law.

## ADDITIONAL TENNIS COURTS NEAR AQUARIUM.

The following was received:

City of Boston,

Office of the Mayor, July 8, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department, in reply to your order of June 27, 1927, relative to the construction of two additional tennis courts near the Aquarium, South Boston.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, July 5, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of June 30, with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to provide for the construction of two additional tennis courts near the Aquarium, South Boston, the expense of same to be charged to the Parkman Fund.

In reply I desire to say I will make arrangements to provide additional tennis courts, without back-stops, during the summer season.

Very respectfully yours,

W. P. LONG, Chairman.

Placed on file.

## BUILDING INSPECTION, MEDFORD STREET, CHARLESTOWN.

The following was received:

City of Boston,

Office of the Mayor, July 2, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Fire Commissioner in reply to your order of June 14, 1927, relative to an extensive inspection of buildings on Medford street, Charlestown.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Fire Department, June 29, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council on June 14, 1927:

"Ordered, That the Commissioner be requested, through his Honor the Mayor, to instruct the Fire Prevention squad to make an extensive inspection of buildings on Medford street, Charlestown, from Chelsea street to Fay square, for the purpose of reducing the fire hazard and that he also be requested to report to the City Council relative to the same.

In City Council June 14, 1927. Passed.

Attest:

W. J. DOYLE,  
Assistant City Clerk."

It will take some time to make this inspection in a thorough manner, but I have issued instructions to the Superintendent of Fire Prevention to proceed at once and report such conditions that may be found which would cause a fire hazard.

Yours very truly,

E. C. HULTMAN,  
Fire Commissioner.

Placed on file.

## PLAYGROUND IN BRIGHTON DISTRICT.

The following was received:

City of Boston,

Office of the Mayor, June 28, 1927.

To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department in reply to your order of June 14 in relation to sub-

mitting an estimate as to cost of a site for playground purposes in the vicinity of Union, Shannon and Winship streets, Brighton district.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, June 23, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of June 22, with inclosure, order from the City Council, that the Board of Park Commissioners be requested, through his Honor the Mayor, to submit an estimate as to the cost of a site for playground purposes in the vicinity of Union, Shannon and Winship streets, Brighton district.

In reply I desire to say that the Board feels that \$20,000 would be necessary to acquire land and properly equip a five-acre playground in this district.

Very respectfully yours,  
W. P. LONG, Chairman.

Placed on file.

#### AMENDMENT TO ZONING LAW.

The following was received:

City of Boston,  
Office of the Mayor, July 5, 1927.  
To the Honorable the City Council.  
Gentlemen,—At a joint meeting of the City Planning Board, the Board of Zoning Adjustment, Building Commissioner, Board of Appeal, Zoning Advisory Commission and the Board of Street Commissioners it was decided to present to the Legislature certain amendments to the Zoning Law. As a result of this, chapter 220 of the Acts of the year 1927 was enacted. The Legislature amended the original bill submitted by the above organizations and inserted section 7 of said chapter, which provides that section 2 of said act shall take effect upon its acceptance by vote of the City Council. The remaining sections of the act have already gone into effect, not requiring any acceptance by the City Council. The amendment contained in section 2 practically creates a two-family residence district. Section 2 is as follows:

"The second paragraph of section eleven of said chapter four hundred and eighty-eight, entitled 'Height', is hereby amended by inserting after said word 'Height' in the first line the words,—and occupancy,—and by inserting after the word 'height' in the second line the words,—or accommodate or make provision for more than two families,—so as to read as follows: Height and Occupancy. No building shall exceed thirty-five feet or two and one half stories in height or accommodate or make provision for more than two families."

At present we have what is known as a "Single Residence District," but no two-family residence district. The various organizations noted above believe it very essential that a two-family residence district be created in the City of Boston. The creation of such a two-family residence district would merely carry out the original intent of the Zoning Law. I am, therefore, submitting the inclosed order which I recommend that your honorable body adopt.

Respectfully submitted,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That section two, chapter two hundred and twenty of the acts of nineteen hundred and twenty-seven, entitled "An act relative to the use of buildings and premises, the height and bulk of buildings, and the occupancy of lots in specified districts of the City of Boston" be and hereby is accepted.

Referred to the Executive Committee.

#### PETITIONS REFERRED.

The following petitions were received and referred to committees named, viz.:

##### Claims.

Jameel Abraham, for compensation for injuries caused by being struck by iron hook in Quincy School yard.

Margaret Barry, for compensation for money paid for release of tax title on land on Loring street, Hyde Park.

Mrs. E. Brown, for compensation for injuries caused by an alleged defect at 107 Blackstone street.

Peter J. Caliri, for compensation for damage to car by city cart.

Gennaro & Beatrice Caroselli, for compensation for damage to property at 95 Clifton street, caused by defective sewerage system.

Carey B. Clegg, for compensation for damage to fence at 207 West Canton street, caused by city wagon.

Margaret Cohan, for compensation for damage to property at 24 Glendon street, East Boston, caused by ball thrown from American Legion Park.

Mary Coneton, for compensation for damage to clothing caused by an alleged defect at 50 Court street.

Anna Conlin, for compensation for injuries caused by an alleged defect at 14 and 16 Carlow street.

Geno Danieli, for compensation for injuries caused by city team.

Lucy Forster, for compensation for injuries caused by an alleged defect at 171A Massachusetts avenue.

Timothy H. Gannon, for compensation for damage to automobile by street cleaning team.  
Charles Interbartolo, for compensation for injuries received on ferryboat.

Bertha R. Kiernan, for compensation for damage to automobile by Public Works Department cart.

Annie B. Lyons, for compensation for injuries caused by an alleged defect at 70 Medford street.

Massachusetts Knitting Mills, for refund on refuse tickets.

Roger E. Maxwell, for compensation for damage to automobile caused by an alleged defect in Freeport street, Dorchester.

George McCaine, for compensation for damage to wagon by cart.

Catherine McNamara, for compensation for damage to property at 100 High street, Charlestown, caused by defective drain.

Mary A. Merry, for compensation for injuries caused by alleged defect at Summer and Washington streets.

John M. Meshna, for compensation for damage to property 80 Fayette street, during construction of water pipes.

Coleman Millett, for compensation for damage to property 125 F street, South Boston, caused by backing up of sewage.

James W. Morrissey, for compensation for damage to automobile by city truck.

Claxton B. Moulton, for compensation for injuries caused by an alleged defect at 9 Dudley street.

F. P. O'Connor Company, for compensation for damage to property at 157 Tremont street, caused by leak in water pipe.

The Old Bromfield Inn, Inc., for compensation for damage to property at 53 Court street, caused by water from street.

Estate of John Perry, for compensation for death by drowning caused by defect in wharf on Albany street, near 375-367 Broadway.

Eric Peterson, for compensation for damage to property at 68 St. Germain street, caused by city truck.

Thomas G. Plant Company, for compensation for damage to property at 158 Tremont street, caused by break in water main.

Harold A. Reynolds, for compensation for damage to automobile caused by an alleged defect in boulevard, near Neponset Bridge.

Eva Smiter, for compensation for clothing destroyed by sterilizer at City Hospital.

A. G. Spalding & Brothers, for refund on refuse tickets.

Jacob Spector, for compensation for damage to property at 90 and 92 Lawrence avenue, Roxbury, caused by water being shut off.

Richard Stanton, for compensation for injuries caused by city car.

Ermelindo Vinciguerra, for compensation for injuries caused by an alleged defect at Sun court and North streets.

J. F. Walker, for compensation for damage to car by city truck.

Mrs. E. C. Webber, for compensation for injuries caused by an alleged defect in Park square.

Joseph A. Simpson, for compensation for week's vacation money withheld while employee of Public Works Department Paving Service.

Mrs. P. Walsh, for compensation for damage to clothing caused by spray from hose on city wagon.

#### Jitney Licenses.

Boston Elevated Railway Company, for a license to operate jitneys from Lenox street car house to junction of Shawmut avenue and Tremont street.

#### NOTICE OF HEARING.

Notices were received from the Street Commissioners of hearings on Monday, July 18, 1927, and on Monday, July 25, 1927, on various petitions for licenses to keep and sell gasoline. Referred to the Executive Committee.

#### RESIGNATION OF CONSTABLE.

Notice was received of the resignation of Thomas E. Kittredge as constable for the City of Boston.

Placed on file.

#### APPOINTMENT OF SCHOOLHOUSE COMMISSIONER.

Notice was received of the appointment by the Mayor of Charles P. Norton to the position of Schoolhouse Commissioner.

Placed on file.

#### TRACK LOCATION, LEXINGTON STREET.

Notice was received from the Board of Street Commissioners of the granting to the Boston Elevated Railway Company of the sixtieth track location, viz., a single track in Lexington street, East Boston, from and connecting with existing single track westerly of Shelby street to a point easterly on Meridian street, then connecting with double track leading to and connecting with existing tracks in Meridian street by a double track.

Placed on file.

#### PAY ROLL, REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds for the period from July 1 to July 15, 1927, inclusive, amounting to \$4,094.14, was received and approved.

#### REPORT OF FINANCE COMMISSION ON CITY AUTOMOBILES.

The following was received:

City of Boston,

Finance Commission, July 6, 1927.

To the Honorable the Mayor and City Council. Gentlemen,—The Finance Commission presents a report on the wasteful policy of maintaining municipally-owned passenger automobiles. The report appears below and shows the following facts:

1. In 1926 the city maintained a fleet of 114 passenger cars valued at about \$87,210. The

amount expended on passenger cars in this year was \$227,731.86, of which \$167,281.86 was for maintenance and \$60,450 for purchase of new cars.

2. The secretary to the Mayor has requisitioned a Fire Department car for his exclusive use with a fireman from the Fire Department acting as chauffeur.

3. Department heads constantly use their official cars for private purposes.

4. Official cars are parked in the rear of City Hall for long periods of idleness during the day and a count made by the Finance Commission for three days in April and three days in June showed a total in those six days of forty-six automobile days of idleness.

5. New York City, in the Mitchell administration, saved in six months \$50,000 by adopting a taxi system.

6. Pittsburgh, Pa., abolished private machines for city officials and contracted with a taxi company for service, and reduced expenses from \$108,597 to \$22,000.

7. The Edison Company of Boston adopted the taxi system and reduced its cost from \$73,087 in 1914 to \$43,575 in 1919, making a total saving to the company in five years of \$129,420.

#### THE SOARING COST.

In 1915, and again in 1916, the Finance Commission called to the attention of the city government of Boston the rising cost of automobile expense for city-owned passenger motor cars. (See Finance Commission Reports, Vol. XI, page 353, and Vol. XII, page 119.) The commission recommended that the city abandon its decentralized system where each department controlled its own passenger motor service and adopt for all municipal passenger cars the taxicab or livery system. The annual expense had then risen from \$3,292.15 in 1904-05 to approximately \$100,000 in 1915, and the Finance Commission believed that a serious study should then be given to these expenditures.

Nothing, however, was done and the cost has continued to soar until last year the city owned a fleet of about 114 cars, valued at approximately \$87,210 for use in the city departments other than the School Committee and the Police Department. Some were Fords and were used regularly by inspectors in their daily work. Others were the more expensive types of touring cars, roadsters and sedans. Last year the city spent about \$60,400 for new passenger cars and \$167,281 for maintenance.

#### INEFFECTIVE REMEDIES.

Some attempts in the past have been made to curb this growing evil, but they were generally ineffective. The City Council in 1909 sought to lessen the scandal of "joy riding," by passing an ordinance providing that all city cars should be registered in the name of the city and should be painted a uniform, distinctive color, and that on the sides of the car the words "City of Boston," should appear, with the name of the department using the car. City cars are now registered in the name of the city, but the rest of the ordinance has been generally ignored. Where departments have followed the third provision of the ordinance by designating on the car the department to which it was assigned, the lettering or plate has usually been so small as to make it an easy matter to conceal by covering it with a flap or blanket. Few, if any, of the departments have their names printed boldly on the hood of the machine.

In Mayor Curley's second administration two municipal garages were erected at a total cost of \$291,168, but no attempt was made to regulate the use of the city cars or to establish a taxi system.

#### EXAMPLES OF EXTRAVAGANCE.

Striking examples of this extravagant system are found in the office of the Mayor. The present Mayor receives a salary of \$20,000 a year,—twice as much as the Governor of the Commonwealth and twice as much as his predecessor. He is also furnished with an automobile and the city pays for the cost of its



maintenance. The present Mayor disposed of his predecessor's Pierce-Arrow car, which had been bought in 1922 at a cost of \$8,923.\* He was allowed \$1,400 for it after four years' use toward the purchase of a new Marmon car which cost \$4,630. Evidently, he became dissatisfied with this car, because recently he bought a new Cadillac sedan at a cost to the city of \$4,196.15, receiving in trade for his new Marmon car only \$1,696.15 after one year's service. The present Mayor has spent for the purchase of cars for his own use in one and one-half years, including the value of cars traded in, the sum of \$8,826.15 of the city's money.

The Mayor's official family has, also, become infected with the desire for automobile hire at the city's expense, but as the purchase of a car for a secretary to the Mayor would be criticised, the expedient adopted by the Curley administration of levying upon another department for a car was continued by the present administration. The department levied upon, however, should have been the last one in the city for any administration to use. The Fire Department is organized for the safety and protection of lives and property, and either all of its equipment is necessary or, if unnecessary, should be disposed of, and the money devoted to building up fire protecting apparatus. Reserve machines are held for contingencies and it may happen that if reserve cars are away when needed, the lives of helpless women, children and invalids may be endangered. It was the practice of the Curley administration to allow one of the Fire Department cars of the reserve fleet to be assigned permanently to the secretarial force and a special fireman to act as chauffeur. The present secretary to the Mayor has continued this practice and the Fire Department car has been daily, until lately, in the rear of City Hall, awaiting the pleasure of the secretary. In addition to the car, a fireman with a special rating as chief's aid, at a salary of \$2,200, acts as chauffeur. Recently at the expense of the Fire Department a new Chandler car was purchased for the use of the Mayor's secretary at a cost of \$1,695. Lately it was reported to the commission that an Institutions Department car was carrying a passenger from and to Lexington daily. The Finance Commission sent the complaint to the Commissioner. No explanation or answer was received.

In the present year, also, the City Collector requested and obtained a Buick brougham car at a cost of \$2,195. The Finance Commission protested against such waste of the city's funds and the City Collector was unable to justify this purchase before the Committee on Appropriations of the City Council. His examination on this point before this committee is pertinent:

Q. What are you riding around in now?  
A. A Willys-Knight borrowed from a department.

Q. What department is this you borrow the car from? A. It is an old abandoned car I have had.

Q. An abandoned car? I would like to get at the bottom of this. What kind of a car is this? A. Willys-Knight, little sedan, holds two people; three crowds it.

Q. How old a car is it? Oh, I don't know.

Q. Whose car is it? A. I don't know.

Q. What department does it come from?  
A. I don't know.

Q. How did you get it? A. The Mayor provides it.

Q. Well, . . . I don't see why that car shouldn't continue to do that work. I don't believe anybody is seeking it for . . .  
A. I believe it ought to be a departmental car for the purpose it is used.

\* Net cost \$7,000; allowance on old car \$1,923.

Q. Mr. Johnson, there have been enough inquiries of the other department heads with reference to automobiles that seem to warrant me in asking you to be more specific with regard to your request for the automobile. A. You mean specific as to the purposes? Q. Yes. A. I can't be any more specific.

#### IDLE CARS.

These are a few examples of the tendency to disregard the interests of the people. While the assignment of a Fire Department car to the Mayor's secretary is scandalous in itself, it is doubly scandalous to keep the car standing idle in the rear of City Hall. The Finance Commission had a tabulation made of the city passenger cars parked in the rear of City Hall by an inspector for three days in April and three days in June. His report for those six days showed that city cars were standing idle for a total of 320½ hours. On the basis of a seven-hour city day, this represents approximately forty-six days of idle time. The tabulation appears in Appendix A. For examples of idle cars, the tabulation shows that the Boston Sanatorium car, No. 505812, was parked idle for seven hours on June 7, seven hours on June 8, and seven and one-half hours on June 9. In other words, the car practically was not used at all on those days. The Fire Department cars for the six days showed idle time of sixteen hours. The Public Works car, No. 479,993, showed eighteen hours of idle time. The Building Department car, No. 475670, showed idle time of twenty-one hours. Other examples can be taken at random, but the tabulation itself shows clearly the waste of time and money. If a livery system under which a car is called for only when needed had been in use in the city, these forty-six days of idle time would not have occurred.

That a large part of the expenditure for city-owned passenger cars is needless, no one can honestly deny. Heads of departments, servants of the public, daily ride to and from their homes in city-owned machines, while the great majority of citizens and taxpayers travel by public conveyance or go on foot. What the cost will be ten years from now, if the sluice gates of expenditures are not closed, it is impossible to predict.

#### WHAT OTHER CITIES AND CORPORATIONS HAVE DONE.

Other cities have tackled the problem of reducing the cost of passenger automobile service. In 1914, under Mayor Mitchell, a central garage was established in New York and a system of operating city-owned cars on a taxi basis was installed, with savings of \$50,000 for the first six months of operation. Chicago at one time disposed of its problem by selling its equipment and contracting with a firm of taxicabs for service on a contract basis. Pittsburg, Pa., in 1922, under Mayor Magee, solved the problem by the adoption of a taxicab service furnished by a private company. The history of this reform is interesting. When Mayor Magee took office in January, 1922, pledged to a platform for retrenchment and economy in city expenditures, the total outlay for municipal transportation for the preceding year amounted to \$108,597.85. The Mayor and the Director of Public Safety gave up the use of the cars assigned to their offices; cars were taken from bureau heads, and the garage force was reorganized. After many conference between the Mayor and City Council, it was decided to place all city-owned passenger cars under lock and key in the garage and experiment for a month or so with public taxicab service. Two city cars were exempted from the rule; one for the city paymaster for the transportation of money, as the burglary insurance policy stipulated that the money must be transported in a private vehicle, and one high-powered car for the Detective Division which the taxicab companies could not furnish.

Within sixty days after the initiation of this taxicab service, the practicability of the plan and the savings made under the system were acknowledged and on April 20, 1922, sixteen of the city's cars were sold at public auction and the balance converted into trucks, ambulances and patrol wagons.

The experience of Pittsburgh demonstrated the inefficiency, wastefulness, and extravagance of the policy of municipally-owned cars for official transportation. The cost of automobile service in Pittsburgh was reduced from \$108,597.85 in 1921 to \$22,000 in 1926. Compared with the expenditures in 1921, the savings were \$86,000.\*

The Edison Electric Illuminating Company of Boston, also, had the same problem of motor transportation as the City of Boston and in 1915 decided that a taxi system was the only solution of the high cost of motor service. Twenty-two officials of the company at that time had special cars assigned to them, but their cars were taken from them and placed in the central garage of the company on Massachusetts avenue. Even the president offered to turn in his car and go on the taxi system, but it was decided to maintain a car exclusively for the Executive Bureau. The president, however, owns a personal car. Rules and regulations were drawn up providing that when an official wished to use a car from the company's garage, his department would be charged a fixed rate. Officials cannot use their cars for private calls and chauffeurs are prohibited from driving officials to or from their homes, except in emergency cases. The livery system eliminated the abuses of private use of the cars and did away with needless trips because the object showed too plainly on the records. Furthermore, in order to reduce the expense sheet of a department, trips were so planned as to be grouped. The head of the transportation department of the Edison Company stated to the commission that the company reduced its cars from twenty-two to nine, gave better service than formerly and the total cost of maintenance and capitalization was reduced at least 46½ per cent. Since the adoption of the livery system by the Edison Company, the number of cars has been increased to eleven, but those eleven serve fifty officials with their subordinates, whereas formerly twenty-two cars were assigned to twenty-two officials. The Edison Company from 1915 to 1919 reduced its mileage from 310,731 to 125,058 and its cost from \$73,087 to \$43,575, a total saving in those five years of \$129,420. Even with the increasing cost of operating cars since 1919, the expense has been kept well below the expense before the taxi system was adopted. What Pittsburg and the Edison Company have done with economy and efficiency, Boston ought to be able to do.

Two kinds of taxi service are illustrated by the Edison system and the Pittsburg system. By the first, the company retains ownership of a limited number of cars; but, instead of assigning them regularly to its various departments, it holds them in a central garage and sends them out on call of the departments only when needed and only for official business. This system is well adapted for a private corporation operated on a basis of efficiency and economy. It is not so well adapted for the more wasteful service of a municipal corporation as is the Pittsburg system under which the city owns, with a few exceptions, no passenger car, but hires cars only when needed and only for official business. There is one company in Boston, the "Driv-ur-Self" system, which could furnish cars when continuous daily use is required, as for inspection, and there is a taxi company that could contract to furnish cars as needed for departmental work on city

\*In 1926-27 a new administration came into power; the system was partially abandoned and the expense increased to \$30,000 for the first six months.

business. Adoption of such service would be better for the City of Boston.

The Finance Commission recommends:

1. That the city abandon its present system of operation of passenger motor cars.

2. That, for the purpose of experimentation, all city passenger cars be placed under lock and key for a period of two months.

3. That arrangements be made for service:

(a) for inspectors' cars on the "Driv-ur-Self" basis;

(b) for occasional calls, on the taxicab basis.

4. That immediate plans be made for the adoption of Recommendation No. 3.

Respectfully submitted,

THE FINANCE COMMISSION,

By CHARLES L. CARR,  
Chairman.

Placed on file.

#### ABATING NUISANCE, HARVARD AND MORTON STREETS.

Coun. RUBY offered the following:

Ordered, That the Health Commissioner be requested, through his Honor the Mayor, to abate the nuisance now existing in the dump situated in the vicinity of Harvard and Morton streets, Ward 14.

Coun. RUBY—With reference to this order, Mr. President, there is a lot of land in the vicinity of Harvard and Morton streets in the Dorchester section of Boston which for some time past has been used as a dumping place by what I understand is the Boston State Hospital, a state institution, and, without any regard to the health and safety of the residents of the district, they have been promiscuously dumping all kinds of refuse and garbage in that area. So bad was the stench of the odor last week that for a vicinity of two miles away from the particular spot people were unable to keep the windows open. For some time there has been an effort made to abate this nuisance because of the fact that in the dumping they showed no regard for the health of the people in that locality, and I think his Honor the Mayor ought to request of the Health Commissioner that that particular dumping space, or that particular place, be excluded from dumping purposes because of the fact that there are other places that would not be a menace to the people of any district, and I request a suspension of the rules and ask for the passage of the order.

Passed under suspension of the rules.

#### CONSTABLES' BONDS.

The constables' bonds of Barnet Levenbaum, Allen Libby, Jeremiah J. Mahoney, Joseph H. Ryan, Roman J. Vasil and John F. Welch were received and approved.

#### WARRANT TO KILL UNLICENSED DOGS.

Notice was received from his Honor the Mayor of warrant issued to Julian Codman, 51 Carver street, and Dr. Frank J. Sullivan, 109 Northampton street, to kill all dogs not licensed or collared according to the provisions of chapter 140.

Placed on file.

#### ARC LIGHT, WEST SELDEN AND CROSSMAN STREETS.

Coun. WRAGG offered the order:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an arc light on the corner of West Selden street and Crossman street, Ward 18.

Passed under suspension of the rules.

**SALARIES, JUSTICE AND CLERKS,  
SOUTH BOSTON MUNICIPAL COURT.**

Coun. MAHONEY offered the following:

Ordered, That chapter 294 of the Acts of 1927, entitled "An Act Establishing the Salaries of the Justice and Clerks of the Municipal Court of the South Boston District" be and the same hereby is accepted.

Referred to Executive Committee.

**REPAVING F STREET, SOUTH BOSTON.**

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement F street, South Boston, from First street to Fourth street.

Passed under suspension of the rule.

**SIDEWALK ON A STREET, SOUTH  
BOSTON.**

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along A street, from Congress street to Dorchester avenue, both sides, Ward 6, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

**SIDEWALK ALONG TYNDALE STREET,  
WARD 20.**

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Tyndale street, Ward 20, from 138 to Guernsey street, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

**ESTABLISHMENT OF TRAFFIC POST,  
SHAWMUT AVENUE AND RUGGLES  
STREET.**

Coun. WARD offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to establish a traffic post and assign a traffic officer for duty at the corner of Shawmut avenue and Ruggles street, Ward 9.

Passed under suspension of the rule.

**ESTABLISHMENT OF TRAFFIC POST,  
SHAWMUT AVENUE AND ROXBURY  
STREET.**

Coun. WARD offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to establish a traffic post and assign a traffic officer for duty at the corner of Shawmut avenue and Roxbury street, Ward 9.

Passed under suspension of the rule.

**SIDEWALK ALONG BEACH STREET,  
WARD 2.**

Coun. GREEN offered the following:

Ordered, that the commissioner of Public Works make a sidewalk along Beach street, No. 2 to No. 6, Ward 2, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

**SIDEWALK, 319-323 MAVERICK STREET,  
EAST BOSTON.**

Coun. DONOVAN offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 319, 321 and 323 Maverick street, Ward 1, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

**GYMNASIUM, REFECTORY BUILDING,  
FRANKLIN PARK.**

Coun. RUBY offered the following:

Ordered, That the Board of Park Commissioners be requested, through his Honor the Mayor, to equip and maintain as a public gymnasium the refectory building in Franklin Park.

Passed under suspension of the rules.

**REPAVING STREETS IN WARD 14.**

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving the following streets in Ward 14:

Devon street, from Blue Hill avenue to Columbia road; Erie street, from Glenway street to Washington street; Ellington street, from Blue Hill avenue to Greenwood street; Glenway street, from Blue Hill avenue to Harvard street.

Passed under suspension of the rules.

**ARC LIGHT, MAYWOOD STREET,  
WARD 12.**

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works be requested through his Honor the Mayor, to install an electric arc lamp in the vicinity of 29 Maywood street, Ward 12.

Passed under suspension of the rules.

**PLAYGROUND, WARD 9.**

Coun. WARD offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to provide a sum sufficient for the establishment of a playground in the vicinity of Hampshire, Downing and Whittier streets, Ward 9.

Coun. WARD—Mr. President, this location is probably one of the most congested in the City of Boston, and the children up there are sorely in need of a playground, and I wanted to bring to the attention of the entire body the realization that, with the schools closed up, there is no opportunity for the children to play anywhere except in the streets. It is impossible, under the law, as I understand



from the Board of Street Commissioners, to close any street as a play street, with the result that in my district there have been children who have been killed as the result of the lack of play facilities in the vicinity. This piece of property which I have in mind is an old vacant lot which I feel can be bought for almost a song. There was a question some time ago as to whether they could get clear title to it. I have investigated and found from the City Collector's office that it is possible to purchase the property now; and I therefore move, Mr. President, a suspension of the rules and passage of the order.

Passed under suspension of the rules.

#### LEASE OF VETERANS' HOSPITAL, WEST ROXBURY.

President HEFFERNAN called up No. 8 on the calendar, viz.:

8. Ordered, That his Honor the Mayor be, and he hereby is, authorized in the name and behalf of the City of Boston, in form satisfactory to the Law Department, and at a yearly rental of thirty-five thousand one hundred and seventy-five dollars (\$35,175), the lessee in addition to pay the cost of changes, repairs, alterations and improvements and to pay the cost of restoration of the leased premises after the termination of the lease or any final renewal thereof, unless the lessor otherwise agrees, to execute a lease to the United States of America of that certain tract or parcel of land consisting of thirty and one half acres, more or less, together with the buildings and improvements thereon, situate on Spring street, in the West Roxbury district of said City of Boston, known as the West Department of the Boston City Hospital, as at present occupied by the United States Veterans Bureau, Health Service Hospital No. 44, for the term of one year beginning July 1, 1927, and ending June 30, 1928. The United States Government is to have the option to terminate the said lease by giving to the City of Boston three months' notice in writing of its intention so to do; and said United States Government is also to have the option of renewing the said lease under the same terms and conditions as therein provided; but no renewal thereof shall extend the term of the lease or the period of occupancy beyond the thirty-first day of December, 1928.

On June 27, 1927, the foregoing order was read once and passed, yeas 16, nays 0.

The order was passed to a second reading, yeas 20, nays 0.

#### ORDINANCE CONCERNING CONTRACTS WITH THE CITY OF BOSTON.

President HEFFERNAN called up No. 9 on the calendar, viz.:

9. An ordinance concerning contracts with the City of Boston.

Be it ordained, etc.:

Chapter 40 of the Revised Ordinances of 1925 is hereby amended by striking out the semicolon at the end of Clause A of Section 13 and adding the words "whose plant or plants are located in the United States"; and by striking out the semicolon at the end of Clause B of said section and adding the words "and the plant or plants of which corporation or other legal association are located in the United States"; so that section 13, Clauses A and B, of said Revised Ordinances of 1925, shall read as follows:

Section 13. No contract shall be made by the city except with,

(a) individual citizens of the United States whose plant or plants are located in the United States;

(h) corporations or other legal associations wherein the controlling interest to the extent of at least over one half thereof is owned by a citizen or citizens of the United States

and the plant or plants of which corporation or other legal association are located in the United States.

Coun. PARKMAN—Mr. President, I offer the following amendment, to be added at the end of subsection (h):

"The provisions of this section shall not apply to the purchase of materials or supplies in the event that the same are not produced or manufactured in the United States."

That is simply a proviso which, as far as I can see, leaves all the teeth in the ordinance which the city requires or is required to provide that the purchases shall be made in the United States, or of plants that are located in the United States. It simply safeguards the creation of the situation where the city might be bound in such a way that it could not purchase needed materials or supplies at all, and for that purpose I offer the amendment.

Coun. DOWLING—Mr. President, I should like to ask the gentleman from Ward 5, through you, whether the amendment offered by him would not make it possible for the city to purchase, say—I want to use something specific—a lot of Belgian cement. That, it occurs to me, is a commodity which the city is using extensively in competition with cements made in this country, and, if there were a great deal of construction work to be done and a great deal of cement to be used, it seems to me the amendment offered by the councilor from Ward 5 would allow preference for the Belgian cement, and, of course, that would defeat the purpose of the whole ordinance.

Coun. PARKMAN—Mr. President, I am not familiar with the cement industry. I do not know how much is manufactured in the United States and how much in Belgium, nor am I familiar with the technical characteristics of Belgian cement, but I should imagine that the United States could pretty well take care of the manufacture of the cement required in building activities, and, if it were not, and buildings were required, I should think that the ordinance, if it did not provide for the purchase of supplies elsewhere, would have a very retarding effect on the prosperity of the country.

President HEFFERNAN—The Chair will read the amendment for the information of the councilors:

"The provisions of this section shall not apply to the purchase of materials or supplies in the event that the same are not produced or manufactured in the United States."

Coun. WARD—Mr. President, on the amendment offered by Coun. Parkman, I believe that the object of inserting this ordinance was to make it as ironclad as possible, because the entire system as laid out by the founders of this ordinance was to buy American products and to bring to American manufacturers the profit that was going to Europe, and to bring to American workmen work which they are sorely in need of; and I believe if we take the chain as outlined in the paper, or if the people of Detroit, Michigan, are buying hats made in Italy, then the hat industry, the factories, in Chatham, will be closed up, and if the people in Detroit will buy hats made in Italy, then the people in Chatham will be out of employment and no automobiles sold which are manufactured in Detroit, and I believe that this chain would go endlessly throughout the entire country, and since we are a country that can fight a war on our own resources, why can't we live in peace on our own resources? I believe, in accepting the amendment as laid out by Councilor Parkman, that it would give the purchasing agent, or it would give the Mayor or the particular department an arbitrary right to buy certain things manufactured in Europe, and I do not feel that I can conscientiously vote for an amendment to such an ironbound insertion in any ordinance.

Coun. GUILD—Mr. President, it is a little surprising to me to hear the last speaker make a plea for a protective tariff in view of his well-known political principals, but, in spite

of the argument which he has advanced in favor of a protective tariff, it seems to me that it would be folly for this Council to put upon the books any law which prohibits, we will say, the Hospital Department from purchasing thousands of dollars' worth of medical supplies, instruments and other paraphernalia which they use in that department but which are not produced in this country. It would be folly, I say, to prevent that department from going abroad to get those needed things; and, while it may be true that it is highly desirable to protect American industries in so far as it is possible to do so, we should not apply the principle to the extent of crippling it. I am very much in favor of Coun. Parkman's amendment.

Coun. WARD—Mr. President, I believe, from what little I know of history, that there were two great men in the country who knew nothing about the tariff. One was Abraham Lincoln, and the other is the councillor from Jamaica Plain; and I believe that, when the tariff was explained by Abraham Lincoln at one time, he stated that, if he were to purchase a suit of clothes made in England, he would have the suit of clothes and England would have the \$100. I believe that is the subject of this entire controversy, whether we are going to have goods made in Europe and Europe is going to have money made in America. That is the question we have got to decide this afternoon.

Coun. PARKMAN—Mr. President, I offer a further amendment to the amendment in order to improve the phraseology and to leave no mistake whatever as to its meaning. I will strike out the words, "in the event that the same are not produced or manufactured in the United States," and insert thereof the words, "if no such materials or supplies are produced or manufactured in the United States;" so that, as amended, it will read as follows: "The provisions of this section shall not apply to the purchase of materials or supplies if no such materials or supplies are produced or manufactured in the United States."

That, I believe, takes care of the dilemma in which Coun. Dowling found himself and which he raised by the simile of Belgian cement. Under the clause, as re-written, if cement is available, then Belgian cement cannot be purchased, and, with that interpolation, I believe the amendment reads in better form and is better drawn.

The amendment was adopted, and the ordinance, as amended, was passed.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President HEFFERNAN called up No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor June 27, 1927, of Bernard F. Travers, to be a Weigher of Goods, Boilers, and Heavy Machinery, and Coal; Alexander B. Wiley, Cecelia McCarthy, Tercilla McCarthy, J. D. Loughry, and E. A. Marston, to be Weighers of Coal.

Councillors Ruby and Lynch were appointed a committee to receive, sort and count ballots. Said appointments confirmed, yeas 19.

#### ORDINANCE CONCERNING CONTRACTS MADE BY THE CITY.

Coun. McGRATH offered the following:  
An ordinance concerning contracts made by the city.

Be it ordained by the City Council of Boston, as follows:

Section 1. Chapter 40 of the Revised Ordinances of 1925 is hereby amended in the portion relating to contracts made by the city, by inserting after section seventeen the following:

Section 17 (a). Every contract hereafter made by the city shall contain a provision requiring the contractor and subcontractors to pay all laborers, workmen and mechanics the prevailing rate of wages as defined in the following section.

Section 17 (b). The words "prevailing rate of wages" shall mean the rate of wages paid in the City of Boston to the majority of laborers, workmen or mechanics engaged in any particular trade or occupation. In the event that it is determined that there is not a majority in the same trade or occupation paid at the same rate, then the rate paid to the greater number in such trade or occupation shall be the prevailing rate, provided such greater number constitutes at least forty per centum of the laborers, workmen or mechanics engaged in such trade or occupation; in the event there is less than forty per centum of the laborers, workmen or mechanics engaged in the same trade or occupation in the same locality paid the same rate, then the average rate paid to such laborers, workmen or mechanics in the same trade or occupation shall be the prevailing rate.

Section 17 (c). The head of the department in charge of any public work may, and on written request of any interested person, shall, require any contractor or subcontractor engaged on such work, to file with the department a schedule of the wages paid or proposed to be paid to laborers, workmen and mechanics; and said head of department shall determine by proper investigation whether or not the rates of wages paid or proposed to be paid are the prevailing rates. If the said head of department shall find that any such scheduled rates are less than the prevailing rates he shall require the contractor or subcontractors to pay the prevailing rates and in case of refusal to so pay he shall abrogate the contract.

Section 2. Section nineteen of said chapter forty is hereby amended by striking out the words "and sixteen" in the fourth line of said section, and inserting in place thereof the words "sixteen, seventeen (a), seventeen (b), and seventeen (c)."

Referred to the Committee on Ordinances.

#### MINORS' LICENSES.

President HEFFERNAN submitted applications for minors' licenses from twenty-three newsboys and seventeen vendors, and it was voted that licenses be granted on the usual conditions.

#### REPAVING LONGWOOD AVENUE.

Coun. FREELEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth block paving Longwood avenue, from Huntington avenue to Parker street, Ward 10.

Passed under suspension of the rules.

#### ANNUITY TO WIDOW OF PATROLMAN MCINNES.

Coun. GREEN offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of Harris B. McInnes, late member of the Police Department, who died from injuries received in the performance of his duties, such annuity to continue as long as said widow remains unmarried and to be charged to the appropriations for Police Department, Pensions and Annuities.

Passed under suspension of the rules.



## RECESS.

On motion of Coun. GUILD the Council voted, at 2.45 p. m., to take a recess, subject to the call of the Chair. The members re-assembled in the Council Chamber, and were called to order by President HEFFERNAN at 3.15 p. m.

## REPORT OF COMMITTEE ON ORDINANCES.

Coun. DOWLING, for the Committee on Ordinances, submitted the following:

1. Report on Ordinance (referred June 6) concerning the salary of Superintendent of Supplies, raising the same from \$6,000 to \$7,500 per year—that the same ought to pass. Report accepted; said ordinance passed.

2. Report on ordinance (referred June 6) concerning salaries of Schoolhouse Commissioners, increasing the salary of the chairman from \$5,000 and each of the other two commissioners, from \$4,000 to \$7,500 and \$5,000, respectively,—that the same ought to pass.

Report accepted; said ordinance passed.

## REPORT OF EXECUTIVE COMMITTEE.

Coun. DOWLING, for the Executive Committee, submitted the following:

1. Report on order accepting provisions of chapter 294, Acts of 1927, relative to salaries in South Boston Court—that the same ought to pass.

Report accepted; said order passed.

## REPORT OF COMMITTEE ON FINANCE.

Coun. GREEN, for the Committee on Finance, submitted the following:

1. Report on message and four orders (referred June 6) for loans, amounting to \$522,000, for two new buildings at the City Hospital—that the same ought to pass.

Coun. WILSON—Mr. President, while I agree that there is need of increased hospital facilities in the City of Boston, yet I also feel—personalities excepted—that any member of this Council is entitled to ordinary courtesies from any city department, even the Chief Executive. As long ago as the 2d of May, I introduced the following order:

Ordered, That the Institutions Commissioner, through his Honor the Mayor, be and he hereby is respectfully requested to investigate and report to the City Council relative to the availability and possible purchase by the City of Boston of the Homeopathic Hospital buildings for use of same by the chronic sick.

That was the 2d of May, and on May 9 I made inquiry as to whether any report had come through on that, and I understand no report has come through to date. Incidental to attending a meeting of the Committee on Ordinances, I also attended a meeting of the Committee on Finance, of which I am not a member, but heard some talk about the need of the passing of this loan order and expending of this additional money. I may be thick but, at that time, I questioned the gentleman who appeared before that committee with reference to the possibility of purchasing the available buildings of the Homeopathic Hospital. So far as I, personally, am concerned, I never owned any part of the hospital nor had the pleasure or unfortunate occasion of visiting that hospital, but I have received advices from proper sources to the effect that the Homeopathic Hospital is for sale and has been for sale since last Christmas some time. The gentleman who appeared before the Committee on Finance said that they tried to buy the Homeopathic Hospital some six years ago and they would not sell and for that reason he assumed that is probably the situation now, although it seems to

me there would be a substantial difference in price between a hospital which was not for sale six years ago and one which I understand is now offered for sale. I understand that the buildings are for sale because they are going to remove elsewhere, and the map which we had before the committee hearing the other day shows that some of these buildings are right across the street from the City Hospital, although I believe the gentleman stated that building a rooming house for the doctors of the department that is to be across the street would be too far a walk, or some such suggestion. It seems to me that I am entitled, and the members of the Council are entitled to know whether the buildings of the Homeopathic Hospital, or any of them, can be bought, and, if so, what the price is, and whether or not it would interest us. I feel I am entitled to a reply to that order of May 2 and until that is received I cannot conscientiously vote on this particular loan order, because it obviously would cost, or I assume it would cost, less to buy an existing building and make in into rooms, than it would to build an entirely new structure. I think I am entitled to the information, knowing, as I do, that the information is in the hands of city officials who have a list of the paraphernalia, which I have, and something which I have not, namely, the price.

Coun. GUILD—Mr. President, I got a little different impression from the testimony that was offered by the heads of the City Hospital to the Committee on Finance regarding the money to be spent under this loan order. I understood their testimony to be that, at whatever the price the Homeopathic Hospital might be on the market, those buildings were not suitable or adequate to the things which they wanted to do. I do not know whether the Homeopathic Hospital is on the market at the present time or not. There seems to be a difference of opinion on that question. I do not know at what price they are on the market, if they are on the market. The last speaker was unable to inform us as to the price, although he was willing to assume—from what basis nobody knows—that the price would be cheaper than it would be to build a brand new building on land which the city already has, and it would be adequate and suitable for the purposes for which the trustees of the City Hospital want this building. As I understand it, it is purposed with all the money raised on this loan order to construct a new medical wing or department of the City Hospital and to provide housing facilities for the house officers. The representatives of the City Hospital who appeared before the committee said that it was desirable to have housing quarters on the property of the City Hospital, and that for various reasons—the age of the buildings and their location as well—the buildings of the Homeopathic Hospital were not suitable and were not adapted to the purposes for which they needed them. So that, in the absence of all information, although the learned councilor who preceded me is willing to assume that the price would be cheap, in the absence of all information as to the price, and in view of the perfectly definite statement of the authorities of the City Hospital that the buildings were not suitable, I cannot see why anybody can hesitate one moment in voting for the passage of this loan order.

Coun. WARD—Mr. President, I do not know whether "Doctor" Wilson and "Doctor" Guild are both right, as "Doctor" Wilson says "Homeopathic" Hospital and "Doctor" Guild says "Homeopathic," but I want to ask Coun. Wilson a question: Whether or not he has ever heard that the price of the Homeopathic or Homeopathic Hospital was \$2,000,000?

Coun. WILSON—Mr. President, replying to both my fellow "doctor" and the gentleman who has corrected the pronunciation one way or the other, it is just because I do not know what the price is that I have criticized the fact that the order of May 2 has never been answered. My brother Guild says that he does not know whether the hospital is on the market



or not. I do know that it is on the market and has been for some time, and that the full details of the building have been sent to City Hall and an offer made. I was fortunate enough, for purposes of my own information, to get the data with respect to the equipment and the buildings. For obvious reasons, I have not been able to obtain the price. It occurs to me that it would not take a vast amount of renovation in almost any building to make an existing supposedly modern building directly across the street from the City Hospital, good and sufficient for the needs of housing quarters for the house officers of the City Hospital. I think that, in the first place, I am entitled to receive the information which I requested on the 2d of May. I do not know the price, and it is for that reason I ask the information. It seems to me we could vote on this measure with a little more intelligence if we knew whether or not an adjacent hospital, or some of its buildings, right across from where they want to build these buildings, is on the market for sale, and that seems to me a reasonable inquiry, the gentleman on my right to the contrary notwithstanding.

Coun. WARD—I might answer the gentleman from Dorchester, Mr. President, relative to that question. If I remember correctly, the reason why Coun. Wilson placed this order before the Council inquiring the price of the Homeopathic Hospital was because they had contemplated spending a million dollars, which will end up in spending ten million, for the erection of a chronic hospital upon Parker Hill. I might say for the benefit of the gentleman from Dorchester that I believe the price of the Homeopathic Hospital is approximately \$2,000,000, and, since this order calls for only \$500,000, I cannot see where there is any argument.

Coun. GREEN—Mr. President, I would like to ask the councilor from Dorchester a question: If he appeared before our committee on finance that day and was asking some questions, or, rather, seeking some information from the chairman of the Board of Trustees, Mr. Manning, and Dr. Dowling, if he did not, at that time, in answer to one of the questions of the councilor, simply say that the Homeopathic Hospital was unfit, and if the City of Boston took it over they would have to tear down and rebuild, and it would be impossible to renovate or put it in any condition to satisfy their needs; and I want to ask the councilor from Dorchester, too, if he thinks that the City Council ought to interfere with the present program as laid down by the chairman and the Superintendent of the City Hospital? I think they know best what they need. They say they do not need the Homeopathic Hospital; they can't use it; because they would have to tear down and rebuild and retard the continuance of the program already laid out.

Coun. WILSON—Mr. President, if I can remember the questions that I have been asked—and I apparently seem to have started something, because they are all asking questions—I will try to answer them. With reference to whether that inquiry was made or not and what the gentleman's answer was, I would say this,—that I asked whether or not the buildings, or any of them, were available to the use of the hospital, and the first reply was they were too far off, apparently because they were across the street; and when we got the map out and it turned out that the buildings were but a stone's throw from the building they wanted to build, then it came out that the buildings were obsolete, although the City of Boston was in the market to buy the same property as short a while ago as six years, but now that the hospital wants to build they are too obsolete. For the purposes of the hospital officers I can't imagine the buildings have grown so obsolete that men cannot live and sleep in them now. I say, if we are being called upon to expend in excess of half a million dollars for a house building for some house officers, it is a pertinent and intelligent inquiry to make as to whether perhaps one of the buildings of this

other hospital directly across the street cannot be bought and renovated, and I still think that is a perfectly logical suggestion—to find out whether there is not a building right across the street which can be used, and for some reason I am unable to find whether it is on the market and what the price is, although everybody in Roxbury and councilors from other districts of the city seem to know all about it. I am merely trying to find out what the others apparently know.

The report of the committee was accepted, and the four orders read once and passed, yeas 20, nays 0.

2. Report on the message and order (referred June 6) appropriating \$125,000 for a central power plant at the House of Correction, Deer Island—that the same ought to pass.

Coun. DOWLING—Mr. President, before the roll is called on that—I should like to vote intelligently on it—I think it is due the Council that the committee give a brief idea of what the proposition is.

Coun. GREEN—Mr. President, in answer to the councilor from Brighton, this appropriation is for a central power heating station at Deer Island, and it is a report and a recommendation of Ritchie, Parsons & Taylor, who made an extensive study of conditions down there and recommended it, and also it has been recommended by the Penal Institutions Commissioner. The \$125,000 will be needed to erect this new central heating station at the island because the other is too obsolete.

The report was accepted, and the order read once and passed, yeas 20, nays 0.

3. Report on message and order (referred June 6) for loan of \$750,000, for a fire station, West End—that there be substituted for the order recommended by the Mayor the following orders:

Ordered, That the sum of three hundred fifty thousand dollars be and hereby is appropriated to be expended under the direction of the Fire Commissioner for the construction of a new fire station in the West End district, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Ordered, That the sum of three hundred thousand be and hereby is appropriated to be expended under the direction of the Fire Commissioner for the purchase of a site for a new fire station in the West End district, and that to meet said appropriation the City Treasurer be authorized to issue from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

The report was accepted, and the question came upon rejection of the order as submitted by his Honor the Mayor and the substitution of the two orders, reported by the committee.

Coun. FITZGERALD—Mr. President, I would like to have you put that question again.

President HEFFERNAN—The question is upon the rejection of the order as submitted by the Mayor and the substitution thereof of the two orders reported by the committee.

Coun. FITZGERALD—Mr. President, on this matter of the proposed new fire station in the West End section of Boston, a good deal of agitation has taken place. The original order provided for \$750,000. Investigations have been made by the Finance Commission, the Real Estate Exchange has been called in, and the Committee on Finance held several hearings, and they now recommend that the loan order be reduced from \$750,000 to \$650,000. I am not so sure that the Fire Commissioner is right in his proposed plans of centralizing these fire stations. I know that district pretty well. I was born and raised there, and I have lived there all my life. We have in that section Ladder 24, which this commissioner proposes to remove and locate in this so-called central fire station. At the present time, that fire house is surrounded by the great Massachusetts General Hospital, recognized as the greatest institution in the world of its kind, or in the United States—I will not

say the world. We have there the Charles Street Jail where many people are confined, some innocent, some guilty, but they are all entitled to protection, and you realize that many of these are waiting trial, waiting the judgment of a jury of their peers as to whether they are guilty or not, and many an innocent man is placed in confinement who never ought to be there. Also surrounding this fire station are fifteen schoolhouses, all within half a minute. But half a minute might be the saving of life, and, after all, that is the great, important matter. Boston has had some great fire commissioners in the gone-by days, and they stand well, and when they planned these houses they planned them for the future. Now the great question is, is he right? He said before the committee that the ladder would not reach the highest point in the Massachusetts General Hospital. That I question, for, after investigation upon my part, I find that the ladder reaches the highest point of any building in the Massachusetts General Hospital. Then he proposes to remove Engine 6 from the thickly, densely populated section of the West End, where thousands of human souls are. Of course, he does not have to live in that great section, and what if a few lives are lost. No explanation has been given. In the Back Bay section within a few weeks lives were lost, where I do not think there is a piece of fire apparatus from Commonwealth avenue to Harvard avenue, in Brighton or Allston. There was the spectacle of removing Engine 26 and Engine 35 from Mason street, taking them away from the heart of that great business section, the dry goods section, the department store section. Think of a fire starting in Gilchrist's, Jordan's—what it means! and locating it at the extreme end of the district—Broadway. That apparatus is now located, awaiting the final construction of that house on Broadway, down in Bulfinch street. Bulfinch street is nearer Mason street than Broadway. Is that right? Some may say it is all right. I believe the matter ought to be studied more. I hold in my hand a clipping from the Boston Post which says they have been unable to find out from the Mayor what is to be done with the great, valuable piece of property in the rear of this building. It will cost a lot of money if you want to buy that land. They say they do not know what is going to be done with it. There is a crying need today for a new building, for the Registry of Deeds and Registry of Probate. Perhaps it might be utilized for that. What is the purpose of it? Are they coming in there a little later and ask that that be sold? Is that going to be sold, that valuable piece of property in the rear? We haven't a municipal building in the great West End of Boston. It might be utilized for this Auditorium he talks about. I don't know any better place than right there in the heart of Bowdoin square for that. But, however, at the present time they have given no study. Now, aside from that, it is a question whether he is right on this matter. We agree that many of these houses are old and out of order now, and do not measure up to present day modern methods of motorized apparatus. But we must have more definite information and decide whether it is right to remove them. If those buildings are unfitted, let us build new buildings in their places. He takes that Ladder Company away and leaves the hill part of the district, represented by the gentleman from Back Bay, who is not here, not covered. That hill apparatus can't shoot right up there. There are apartment houses there without number and with no protection, and the only way we would have then is to come from Bowdoin square down. Already it is the center of activity. Now, Mr. President, I think we are a little hasty in this matter. I understand, today, before the committee—I was not present—the question was put. Perhaps some other members may enlighten the Council as to just what Mr. Freeman had to say. But this is the vital question and I believe, in all justice, also—the votes may be

here today to pass this proposition—something should be done. We all thought that this man was going to be a great fire commissioner. Everybody looked forward, thinking that he would strengthen the Fire Department. Everybody recognized that it needed some strengthening. The man before him had a wonderful character, genial character, a man who treated them well and gave them every possible consideration, but there was a lot of laxity. This man came. Everybody thought he was going to emulate the great Colonel Russell, but, alas, when we saw the list of promotions it told a different story, and we haven't got a Henry Russell. We thought we had. He was a great executive, a man who served the country in the time of the Civil War. He was a great leader, and every mayor begged him always to retain his position irrespective of whether he was Democrat or Republican. And, gentlemen, on that theory I do not agree yet that he is absolutely right. The people want to know definitely, even though he be allowed to build this station and bring the tower from Fort Hill square where it belongs, up there in the old station which was supposed to take care of the West End. Even Engine 4,—I don't believe he should be allowed to remove that, together with Engine 6 and Ladder 24. Notwithstanding the fact, I think it would be far more feasible if he were to take Ladder 1 and bring it up there. Showing me that he does not know all the details of the great Fire Department, and when he says leave Ladder 1 where it is, almost directly at the foot of Chardon street, within half a minute from Bowdoin square, to leave that there but take the other ladder away, the only protection we have got down at the other end, he didn't give it the study and thought that a great engineer ought to give. He failed there. Ladder 1 is the thing to put in Bowdoin square, if anywhere. He hasn't given that the thought. I don't know where this report comes from, but it must have been hurriedly got together, and it is a serious matter. I think the members of this council will remember that the life of one child is important. Nobody knows whose child it may be or where it might belong. Remember that in voting for this proposition today. I say now the order ought to be postponed for further action and study.

Coun. KEENE—Mr. President, I move you, sir, that action on this matter be postponed for a period of one week. I do that because several members of the Council have stated that they would like a little more time to investigate further in order that they may vote on the matter intelligently, and I believe that when any member or members of the Council ask for further consideration, the Council then, so far as it can, should extend that courtesy to that member or members.

President HEFFERNAN—Coun. Keene, the Chair will ask if you are willing to withdraw your motion until a vote has been taken on the question of rejection and substitution?

Coun. KEENE—Mr. President, I withdraw my motion.

The question being put, the order for a loan of \$750,000 submitted by the Mayor was rejected, and the two orders reported by the committee were substituted therefor.

The question then came on the passage of the orders, and Coun. Keene renewed his motion to lay over for one week.

Coun. GUILD—Mr. President, I feel greatly as Coun. Keene, that every opportunity should be accorded to every member of the Council to investigate and satisfy himself in all reasonable ways regarding this loan order which has been presented to us. The loan order has been before us now for a matter of five weeks. Within that time the Committee on Finance have held various hearings and have reports from the Finance Commission of the city and various other unofficial bodies with regard to it. The councilor who spoke at some length is, of course, very directly affected by this loan order because it deals with his district, and I have every



sympathy for the questions which he raises in connection with it, but it does seem to me that, in view of the number of hearings which the Committee on Finance have held, and in view of the length of time the matter has already been pending before it, the Council has had ample opportunity to present whatever there was in the way of evidence and testimony to the committee with regard to the policy of centralizing or not centralizing the Fire Department of the West End. It strikes me, however, that that question is probably a question for the administrative branch of the city government to decide. The administrative branch is represented in the Fire Department, of course, by the Fire Commissioner. The Fire Commissioner appeared before the Finance Committee of the City Council and stated his reasons for desiring to centralize the Fire Department in the West End, and they seemed to be good and sufficient reasons. Among others which he gave was the one that the present quarters for one of the ladder trucks is inadequate to accommodate ladders of such length as would reach to the remotest parts of some of the buildings in the West End, and that a house sufficiently long to house such a ladder was needed. If the question has been raised at all as to whether there is an opportunity to house a ladder sufficiently long to reach to any part of any building in the West End, it seems to me that this body should resolve it on the safe side and not gamble and take chances with human lives and take a chance that what we have there now is inadequate. If the Fire Commissioner says that it is not adequate, we should resolve the question on the safe side, in any event. I do not think that the City Council, as such, is expected to form the administrative policy of the city in regard to the centralization or noncentralization of the fire stations. So far as the testimony that was elicited from Mr. Freeman at today's hearing is concerned, I happened to be presiding over the committee at that time, and, for the information of those councilors who were not present and who desire to know what his attitude on the matter was, it is this. He was unwilling to make an estimate in regard to the value of the site which has been under discussion for the reason that he is interested in it. It was impossible to get from Mr. Freeman any statement whatever in regard to what he thought was an appropriate figure. Mr. Freeman stated, quite frankly and openly, that he had not given anybody any figures or any estimates of any sort or any kind; that, whatever the source of such figures as previously had been presented to the examination of our Committee, he was not responsible for them, and it was entirely impossible to get Mr. Freeman to take any responsibility for those figures. The elaborate report which the Finance Commission submitted was the basis of the amendment which was drafted and submitted in place of the original order and which the Council has now accepted. While I am entirely in accord with the desire to make a thorough study, I have no reason to suspect that any more testimony can be presented to the Committee, or to the Council, than has already been presented with regard to the advisability or nonadvisability of attempting to govern the administrative policy of the City in centralizing or not centralizing the Fire Department. I think we should act on the matter at this meeting and let it take its second reading.

Coun. McGRATH—Mr. President, I listened with a great deal of interest to the speech made by the councilor from the West End, because he is so familiar with that district where this fire station is to be located, and I know when he spoke of the property in back that he had in mind the difference between the city buying a piece of property and the city selling a piece of property. If we were to send over to our real estate expert a buyer of the piece where the Bul-

finch street apparatus is located, he would tell us that, of course, you had to pay at least 25 per cent above the assessed valuation and perhaps more, but when it came to the sale of the property, which would be a good barometer as to the worth of this property now under discussion, we find it to be like your Station 2 out here, or the former Station 2 below, which for so many years we held on the fire without bringing in any assets to the city. It is the same with this property. If you want to find out what it is really worth, you put it under the hammer at auction and see how much it will bring. I, too, feel like the majority of this Council, that the City should not sacrifice that but should hold on to it because there may be some development in the future in which they will want that piece of property. And if there are any betterments that have accrued from the Cambridge street widening, the city should receive the benefit as well as private owners. So, if this matter had come to a vote today I would be forced to vote against it for the following reasons: When it came in here a few weeks ago it came in as an innocent lamb. It was on that desk, sir, when I arose and asked a few questions and said that I thought the price was exceedingly high. I think I can understand the English language, and, as I listened to the reading of the order, it said that the Street Commissioners recommend a price close to \$400,000, after securing the appraisal of three competent appraisers. I understood the appraisers were Mr. Kiley, Mr. Dillworth and Mr. Freeman, with all of whom I have worked in various deals in the past and for whose opinion I have great regard. But, on sending for the appraisers, Mr. Kiley was in Europe, Mr. Dillworth was not available, and Mr. Freeman came here, and said today, this to the Committee on Finance. He said, today he does not appear as the real estate expert of the city. The councilor from Roxbury said, "We seek advice. You are the paid real estate expert of the city. What do you think is the worth of this property?" He said, "I can't tell you that today, because I am not the real estate appraiser today—I am the owner of the property." So, today, Boston is without a real estate adviser, for one day, anyway. Perhaps that is fortunate, sir, because, when we found out that they were asking \$400,000 for this, we then sent for the Street Commissioner, who had recommended, so his Honor the Mayor said, paying \$400,000, and the chairman of the Street Commissioner, Mr. Hurley, said, "It has never been called to my attention officially, and I will not accept the bid as mine." That brings it back in the lap of his Honor the Mayor, and to this hour he has not sent, officially, any information that he wants any less than \$400,000. Of course, he will now have to call for the resignation of Mr. Freeman, who has so hopelessly fallen down. It is the only thing for him to do—to prove that there is no collusion between Mr. Freeman, who still stands as the real estate expert, although he has been shown up as the owner who went down and looked at his own property. Perhaps he did not appraise, but then, if he did not appraise, the Mayor does not understand what an appraisal is, for he said he did appraise. Someone is in error. They went before the Finance Commission, and Mr. Freeman said, "I did not tell the Mayor I owned the property but he knows I own the property." Now someone is decidedly lax in this entire situation. We saw the Real Estate Exchange, and they certainly stand high in the estimation of the people of the city, today, for when they were called upon for an honest appraisal they went down there, knowing that three members of their Exchange had previously appraised that property, so far as was the general knowledge, and they did not quibble, sir. They came back here with an honest appraisal, and they backed up that appraisal with their entire committee, and the standing of the committee,



sir, speaks for itself,—in which they cut the price just 25 per cent. That is a tremendous cut, sir, when you know there is a building on there; there is tangible property underneath it, there is one profit, supposed to be a reasonable profit, and somewhere between \$200,000, which we all agree it is worth, and \$400,000, they cut 50 per cent, sir. Somebody was stealing \$100,000. Mr. Freeman says he was not the man. Nobody will come forward. Who will walk into the Committee on Finance and say, "I stand as the one who wants \$400,000?" The only one who has is his Honor the Mayor. Nobody seems to be paying much attention to him, sir, in this particular matter. But it does stand to reason when those in authority in our city find that property is owned by a man and that that man went down and appraised the property and did not inform the men who had hired him that he owned the property, there is only one gentlemanly thing to do to remove suspicion personally, and that is to call for the immediate dismissal of the man who is employed to advise him. We are paying a real estate expert to give an honest opinion on it. Either the Real Estate Exchange are wrong or Mr. Freeman is wrong, and I leave it to his Honor the Mayor to decide. No matter what happens here today, this order can be reintroduced, and, while I do not quarrel with the price of \$300,000, and while I would be forced to agree with the Real Estate Exchange, because I know that surely it is the cream of this city, and, yes, of this state, sir, that Exchange would not quibble on the price, and while they do not go into confiscating property, and the city does not stand in that class today, they give a man a fair price, and I can assure the members of this Council, sir, that, at \$300,000, Mr. Freeman won't be a philanthropist. But when you think that we almost let get by here over and above \$300,000, the amount of \$100,000 and more,—and that is more than the salaries of all twenty-two members of this Council for two years—in one batch, sir, that is worth considering and it is perhaps worth our stopping to think who is advising the Mayor of Boston today. Mr. Freeman says he is not. Mr. Freeman, on this day, July 11, is not even the appraiser of the city. But he would start tomorrow morning, at 9 o'clock, being appraiser all over again, and, if we do not watch out, we will see another hot one coming up here. I wonder who is the guardian of the city money. Surely, it must be the Council. Every administration, or most every administration, has had some outstanding thing by which the administration was known. I say Mayor Nichols' administration will go down in history as the administration of the Revere House steal, and in the future, when people refer to it, the only reason it was not a steal was because the Council and the Finance Committee of the Council were on the job. But, sir, when Mr. Freeman, today, said that even though he is awarded the \$300,000 he would go into court, and when you know, if he does go to court, it goes up to the Law Department—they are gullible, they are decent fellows—they will perhaps give him back that \$100,000—wouldn't it be better if we got rid of the nasty situation by defeating it entirely? I agree to this, sir. The site is an ideal one. The price may not be too high, and, if the Real Estate Exchange says it is not, that is good enough for me. But, when the man who owns it says he will go to court and sue for more, and when I know that the Law Department is at least friendly, I know he will get more. Aren't we defeating our purpose here? Why do we waste time? Why do we attempt to save \$100,000 in one deal for the citizens if they can wipe that all out and nullify it by one act of the Law Department? Wouldn't it be better to do the decent thing, to do the fair thing, to do the honest thing: defeat the entire situation today? Clean the dirty linen now and then let them send back an honest report of the

real estate appraisal with the men who appraised it being honest enough to sign the appraisal, as the Real Estate Exchange does. Perhaps it is the best location, but we can best clear the skirts of the City Council today, who are saving \$100,000, by defeating the entire order and serving warning on his Honor the Mayor that the next time he sends up a loan order of any kind to at least have the men who are supposed to be the ones who fix the price have courage enough to stand behind the price. As it stands before the Council today, sir, the only one who has asked for \$400,000 is not the owner but it is his Honor the Mayor, and I do not like to see him in that situation, and I want to give him a chance, and I want to see him get out of a bad mess, just as we have got out of it, sir. Let us defeat it today. Let him send it up again with the reasons of the men who appraise the next piece of property. Let them be game enough to stand behind the appraisal they make if it is an honest one.

Coun. GREEN—Mr. President, I would like to ask the councilor from Dorchester a question. The councilor from Dorchester, of course, has made some damaging statements, and I have always known him to come pretty near knowing what he was talking about, but I am going to ask him if he does not think that the Real Estate Exchange and the Finance Commission and Mr. Freeman and all those other bodies have stolen the only prerogatives which the City Council has? By virtue of our position here, we are custodians of the city finances and should look after the welfare of the people throughout the city, the taxpayers, and I would like to know how he feels about the Chair appointing a special committee, to be made up of members of this body, men that are qualified by training or experience in the real estate market, and those men go down and make an exhaustive study of this whole situation and report back to the Committee on Finance so that they can act intelligently and vote intelligently on this order? I do not think there is a man in this body that has not an open mind on this transaction in the West End. We want to be fair and want to be upright and want to protect the people, and I think, Mr. President, that the councilor from Dorchester will agree with me that the only prerogatives which we are supposed to have as members of this body have been taken away from us, and I would like to hear from the councilor from Dorchester and find out how he feels about that.

Coun. McGRATH—Mr. President, I think we should first act on this proposition and defeat it and then go down with a perfectly open mind and, if there is an appraisal to be made, appraise this property, together with a couple of other propositions, one of which I understand a councilor here has knowledge of, which has already been considered and which is fully as good a site and the price of which is a great deal cheaper. If we could go down there with this matter disposed of, with open minds, I just as soon have a committee appointed.

Coun. GREEN—Mr. President, I think that the councilor from Jamaica Plain, when he introduced this motion for postponement, had in mind one member of the Committee on Finance whose duties have carried him out of town over week-end periods, and that man has not been able to sit in with the committee and make an exhaustive study of the situation, and out of fairness to him as a member of our committee I think the councilor from Jamaica Plain had that in mind when he asked for a postponement so that this man could sit down with us in committee and study this situation. I refer to the councilor from South Boston, my colleague, Coun. Lynch, who, because of his business, had to leave town and was away during that period, through no fault of his.

Coun. LYNCH—Mr. President, I did ask that the matter be laid on the table in com-

mitted, but later withdrew my motion, and I am very satisfied now to have the matter take action today.

Coun. WILSON—Mr. President, I, finally, am in favor of the laying over for one week, for this reason. I note that the remarks of the chairman of the Finance Committee and the remarks of the Finance Committee itself and the remarks of about everybody concerned, all have reference to this particular location to the exclusion, apparently, of all others, and it would have pleased me a great deal more if the Finance Committee of the City of Boston, or the Finance Commission, I should say, had spent less time attacking this particular location and gave more intensive study to other sites. It was for that reason that, at a meeting of the Finance Committee of this body, I asked the Fire Commissioner of the City of Boston with reference to the availability and the price of three large and nearby sites on Cambridge street, to wit, the one next to the Bowdoin Square garage, one across the street from this location, and another site far superior to the one above named, a site on which stands old and dilapidated buildings which, presumably, standing on an area of 11,000 square feet, would be bought for a cheaper price than a brand new building on 11,000 square feet. I asked the Fire Commissioner with reference to the availability and the price of these particular locations, the locations that I have in mind on Cambridge street, with Howard street in the rear, Cambridge street on the front, with the possibility of an extension of Somerset street through, with an alley on the other side, making a street on each of the four sides. And if this matter is put over one more week I think that the Finance Committee of the City Council, or a special committee appointed, or whoever makes the investigation, should not go into the matter with reference to this particular location to the exclusion of all others, but go into the question as to whether on Cambridge street we cannot buy more locations than we want; and for that reason, and having that in mind, I am in favor of it going over one week.

Coun. GREEN—Mr. President, I should like to ask the councilor from Dorchester who has just taken his seat if he has submitted those sites to the chairman of the Committee on Finance? Did he send them to the Mayor or the Fire Commissioner?

Coun. WILSON—Mr. President, not being a member of the Committee on Finance, I did not go into the matter as actively as I otherwise might, but I did take the opportunity to question the Fire Commissioner, who, I understand, was the man chief in interest, the executive in charge of the entire proposition, and I did ask him a set of questions with reference to the three locations, and particularly the latter location, which one I consider is far superior. I did not submit any figures to the Mayor. I am not interested in convincing the Mayor, necessarily. I merely wanted to know the opinion of the Fire Commissioner, if it is his opinion that we should buy this particular Bulfinch street corner.

Coun. GUILD—Mr. President, I should like to ask the councilor from Dorchester, if this matter is laid over for a week, whether he proposes to bring in experts to contradict the testimony of the Fire Commissioner and agree to convince the committee as to why the location which the Fire Commissioner has decided upon is not the best location in the district?

Coun. WILSON—Answering that question, Mr. President, I would state that, in my best recollection, the Fire Commissioner did not state that the so-called Freeman lot was the best location on Cambridge street in that particular locality, but that he said it was an excellent site, and, finally, he knew, or purported to know, very little about the location which I suggested, and that he did not even know it was in excess of 11,000

square feet, which is, I understood, the approximate area of the plot he proposes to buy.

Coun. RUBY—Mr. President, personally, I have no objection to the postponement for one week, but I do believe that on a proposition of this kind which involves not only such a great amount of money but such a responsible enterprise, I cannot see what is to be gained by delay. We will come here next Monday afternoon with nothing else before us but this proposition and what other little information we have already received. I sat in at one or two meetings, at one of which the Fire Commissioner himself was here, and there was discussion, at that time, about other sites independent of the present site in question, or independent of the site as suggested by the councilor from Ward 17; but it seemed that there was not any question of any site for any amount of money but this particular site in question. If I had an open mind when I came to this meeting this afternoon, my mind would have been changed by the attitude of Mr. Freeman, as I understand he appeared before the committee. A man who would make the statement that, regardless of what the Council did with reference to this question, if \$100,000 was chopped off as recommended, he still would have recourse to the courts. Now, a man who takes that attitude does not care what you and I might do on a question of this kind. A man who takes that attitude is insistent on securing a certain amount of money for what he has for sale. If we postpone deliberations for a week, and even if we do appoint an investigating committee, they will go right down and see that site now and then come back and report to us that that site is worth approximately \$300,000, which is information that I think we will agree is right here now; but, Mr. President, if we appraise this lot for \$300,000, as has been so ably brought out by the councilor from Ward 13, the owners of this particular site will still have the redress of going above us, and we giving them that amount by the passage of this loan order for \$300,000 and giving them \$100,000 additional, which it is admitted, today, in our opinion, by all is \$100,000 in excess of the value of that property. I am not so sure but that \$300,000 is a good deal for that property from information that I have been getting around the city. I say that we have a right to be guided by people who know the district; that, regardless of the fact as to whether that is any particular site or not, if certain protection is going to be removed from other important sections of that locality, that should be brought back to the Fire Commissioner, and, with all due respect to Commissioner Hultman, I don't know how, in the short period that he has been Fire Commissioner, he is able to determine 100 per cent as to whether a site is good or not. Of that I am not so sure but that certain members of this Council could give him some information, especially with reference to that particular location, that might be of benefit to him, should he seek that information. Nothing is to be gained by postponement. I do not believe in postponements in the ordinary course of events in a matter of this kind. If the matter can be adjusted by the rejection of this order and the introduction of another order, we are all agreed that a central fire station in that section of Boston is necessary, but under the method that has been adopted I think we would be justified in defeating it, and if we are going to expediate matters, another order for a sum which is just and reasonable for this site, if it is the best site, should be introduced. But I am not so sure, as has been outlined by Coun. Wilson, in taking right on the next corner to this very site at a less amount of money, that the commissioner said he knew nothing about, but who, I understood through the councilor, got some information at some time or other, that he would give us some information as to the desirability of that site. A site was



suggested of a vacant lot of land adjoining one of the hotels. There has also been a site on Sudbury street talked of. They have given considerable study to these different sites, and, surely, the real estate experts of Boston must have valued these different sites in question, and, while I have no objection if another week is needed by the Finance Committee, or any group of members of the Council, for an investigation, I do not think we will have any more information a week from today than we have today.

The question being put on the motion to lay over for one week, the Chair declared the motion lost.

Coun. KEENE—I ask for a roll call.

The roll being called, the Chair declared the motion lost, yeas 10, nays 10.

Yeas—Coun. Arnold, Donovan, Dowd, Englert, Freeley, Green, Keene, Ward, Wilson, Wragg—10.

Nays—Coun. Bush, Dowling, Fitzgerald, Guild, Heffernan, Lynch, Mahoney, McGrath, Parkman, Ruby—10.

The question then came on the passage of the loan order for \$300,000 for the purchase of land, and after a roll call the chairman declared the order lost, yeas 12, nays 8.

Yeas—Coun. Arnold, Donovan, Dowd, Dowling, Englert, Freeley, Green, Guild, Keene, Parkman, Ward, Wragg—12.

Nays—Coun. Bush, Fitzgerald, Heffernan, Lynch, Mahoney, McGrath, Ruby, Wilson—8.

On the loan order calling for the appropriation of \$350,000 for the construction of buildings, a roll call was taken, and the Chair declared the order lost, yeas 14, nays 6:

Yeas—Coun. Arnold, Bush, Donovan, Dowd, Englert, Freeley, Green, Guild, Keene, McGrath, Parkman, Ruby, Ward, Wragg—14.

Nays—Coun. Dowling, Fitzgerald, Heffernan, Lynch, Mahoney, Wilson—6.

Coun. DOWLING—Mr. President, if I voted correctly, and I think I did, just to clear up an ambiguous situation, I think I am entitled to make an explanation. We not having provided a site, I desire to vote against building a building which necessarily will be suspended in the air, and the time has not arrived yet when fire stations are erected in the air.

#### CONFIRMATION OF APPOINTMENT OF CONSTABLE.

Coun. WILSON—In response to a request by Coun. McMahon, I ask that the name of Peter E. Paulson, under No. 2 on the calendar, be taken from the calendar.

The question came on confirmation. Committee—Coun. Dowling and Mahoney. Whole number of ballots cast 17, yeas 17, nays 0, and the appointment was confirmed.

#### NEXT MEETING.

Coun. GUILD—Mr. President, I move that when the Council adjourns it be to meet July 25.

The question being put, the Chair declared the motion carried.

Coun. WARD—Mr. President, I would like to inquire if there is anything coming in the next week that we must be here for, or anything to report?

Coun. DOWD—Mr. President, if I may I will ask the chairman of the Jitney Committee if there is a report of the Jitney Committee to go in today?

Coun. WARD—Mr. President, I would like to answer the gentleman through the Chair that there is, but I believe it is in the hands of the Clerk of the Committee.

Coun. DOWD—Mr. President, if there be no objection, I think we ought to clear up everything that possibly can be cleared up. I believe it is up to the chairman of the Jitney Committee, if he has a report to make, to make it.

Coun. WARD—The only report I can make, if the Clerk of the Committee will bring the report, will be made.

Coun. DOWD—Do I understand the report is in the hands of the committee?

Coun. WARD—The report is in the hands of the Clerk of the Committee. It has been acted on, and the Boston Motor Tours have been rejected for a permit.

Coun. DOWD—Mr. President, I move you, sir, that the Clerk of Committees be sent for.

The Clerk of Committees entered the Chamber and conferred with Coun. Ward.

Coun. WARD—Mr. President, in answer to the gentleman from Roxbury, the report is in the hands of the committee, I understand from the Clerk of Committees, and the chairman of the committee will report it back at his leisure.

Coun. DOWD—Mr. President, I move you, sir, that the report be taken from the hands of the Jitney Committee. As a member of the Jitney Committee I request it.

Coun. RUBY—I second it, Mr. President.

The Chair asking for a rising vote, twelve councilors rose in support of the motion and four against, and the Chair announced that more than the necessary two thirds having voted in favor, the petition was taken from the Committee on Jitneys.

Coun. WARD—Mr. President, I ask unanimous consent to make a statement.

President HEFFERNAN—Coun. Ward asks unanimous consent to make a statement. Is there objection?

Coun. DOWD—I object.

Coun. DOWLING—Mr. President, I rise on a question of personal privilege.

President HEFFERNAN—Will the gentleman kindly state his question of personal privilege.

Coun. DOWLING—Mr. President, I have been around this hall for nearly thirty years, and I do not think that I have ever seen anything as discourteous as the action of the Council in taking this matter from the committee, and I voted against requiring the committee to report because I believe that a committee has a right to take all the time that is necessary to investigate and make an intelligent report. I feel outraged, myself, and I feel outraged on account of the councilor on my left. I think the motion to take away from the committee came in after a little fight or loss of reason, or something of that kind, and I do not believe now that the action of the Council in requiring the committee to report now was anywhere near right, nor anywhere near fair, and not ordinarily decent.

Coun. BUSH—I rise on a question of personal privilege.

President HEFFERNAN—Kindly state your question of personal privilege.

Coun. BUSH—Mr. President, I call the attention of the councilor who just spoke to the fact that the member who made that motion to take that from the committee is a member of the committee himself.

Coun. DOWLING—Well, Mr. President, referring to the gentleman on my left, whom I regard very highly, that does not change my opinion of the action of the Council, just the same.

Coun. DOWD—Mr. President, may I ask the chairman of the Jitney Committee a question?

President HEFFERNAN—The Chair will rule that there is nothing before the body at the present time, and there is nothing to debate. No statement can be made except with permission of the body.

Coun. GUILD—Mr. President, I now renew my motion that, when we adjourn, it be to meet on July 25.

President HEFFERNAN—The Chair will rule that the question has been voted on and was carried.

Coun. DOWD—I understood the vote was doubted.



President HEFFERNAN—The Chair will rule that, although two or three members said they doubted the vote, no member stood in his place, no one addressed the Chair, and no one was recognized.

Coun. DOWD—I stand corrected.

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#### PETITION OF BOSTON MOTOR TOURS.

President HEFFERNAN—The petition of the Boston Motor Tours for license to operate is before the Council for such action as we see fit. What is the pleasure of the body?

Coun. WARD—Mr. President, I wish to make the same statement, only on this question, before the entire body, without having to bow to anybody who objects. The story of the Boston Motor Tours Bus Company dates back some years when a gentleman who put different requests in before the Council had a similar request here, and when he went to the Legislature on Beacon Hill he was the man who cried that he had to pay members of the Boston City Council to put his bus permit across. The same man went before the Legislature and told everybody in the State House that he had to pay this sum to get anything in the Boston City Council. After a meeting of the Committee on Jitneys, where Coun. Gilbody and Coun. Freeley were present, in conformity with the law there was a quorum present. I felt for that man when he appeared before that committee during my term—he was there each time, and each time I voted against him because I felt that the stigma was there that he had one time paid somebody, and I wanted it understood there was one member

of this Council—and I don't know about the old Council—that could not be bought, and that was myself. Another question that he put up, I think, in all fairness to the people of Boston, was this. Here is a man that came before that committee requesting a bus permit to run a bus to Fall River. He was a stranger in Boston. He did not even pay a poll tax in the City of Boston, and he wanted to take away from a concern that is paying taxes on \$60,000,000 of property their revenue that made possible the upkeep of the New Haven Road; and I say, though it does not bring out the question on the Motor Tours, that the Committee on Jitneys acted in conformity with the law, the Committee on Jitneys voted on this matter in conformity with the law, and now that the order is before the Council I advise that we vote against the Boston Motor Tours.

Coun. DOWLING—Mr. President, in order to clear up the situation, I move that the matter be recommitted to the Committee on Jitneys.

The question being put, the Chairman declared the motion carried and the matter was recommitted to the Committee on Jitneys.

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#### GENERAL RECONSIDERATION.

On motion of Coun. GUILD general reconsideration of all action taken today was refused.

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Adjourned at 4.50 p. m., on motion of Coun. McMAHON, to meet on Monday, July 25, 1927, at 2 p. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Thursday, July 21, 1927.

Special meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President HEFFERNAN in the chair.

Absent—Coun. Gilbody, Guild, Keene, Lynch, Parkman and Ward.

The meeting was held pursuant to the following call:

City of Boston,

Office of the Mayor, July 19, 1927.

To the Members of the City Council.

Gentlemen,—You are hereby requested to assemble in the City Council Chamber, City Hall, on Thursday, July 21, 1927, at 2 p. m., for the purpose of taking action on a transfer order from Reserve Fund to Public Celebrations, amounting to \$20,000.

The purpose of this transfer is to provide sufficient funds for the entertainment of Col. Charles A. Lindbergh and his party on Friday, and for the entertainment of Commander Richard E. Byrd and his party, Lieut. Albert F. Hegenberger and Lieut. Lester J. Maitland and party, and Clarence D. Chamberlin and party on Saturday next.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

## SPECIAL APPROPRIATION, LINDBERGH CELEBRATION.

The following was received:

City of Boston,

Office of the Mayor, July 19, 1927.

To the City Council.

Gentlemen,—I transmit herewith to you a request for the transfer from the Reserve Fund to Public Celebrations of \$20,000.

The purpose of this transfer is to provide sufficient funds for the entertainment of Col. Charles A. Lindbergh and his party on Friday, and for the entertainment of Commander Richard E. Byrd and his party, Lieut. Albert F. Hegenberger and Lieut. Lester J. Maitland and party, and Clarence D. Chamberlin and party on Saturday next.

In consideration of the foregoing, I recommend the passage of the accompanying order.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$20,000, to the appropriation for Public Celebrations, \$20,000.

Referred to the Executive Committee.

Coun. McGRATH—Mr. President, I rise to a point of information.

President HEFFERNAN—The gentleman will kindly state his point of information.

Coun. McGRATH—Was this meeting called in the customary manner, by the Chair, or was it called by his Honor the Mayor.

President HEFFERNAN—The Chair will state that the call was sent out by his Honor the Mayor, but before the call was sent out his Honor the Mayor asked me if it would be agreeable to have a meeting this afternoon, and I told him it would be as far as I was concerned.

Coun. McGRATH—Mr. President, Coun. Freeley makes a suggestion about holding the executive meeting in here. I should like to make the suggestion that we send for the Director of Public Celebrations, Mr. Johnson, so that we can learn something about this affair.

President HEFFERNAN—The Chair asks the City Messenger to send for Mr. Johnson. And the Chair will also ask Coun. Dowling to preside over the meeting of the Executive Committee in the absence of Coun. Gilbody.

## RECESS TAKEN.

The Council voted, on motion of Coun. BUSH, at 2.20 p. m., to take a recess subject to the call of the Chair.

The members reassembled in the Council Chamber and were called to order by the President at 2.50 p. m.

## EXECUTIVE COMMITTEE REPORTS.

Coun. DOWLING, for the Executive Committee, submitted the following, viz.:

1. On the message and order of his Honor the Mayor requesting the transfer from the Reserve Fund to Public Celebrations of \$20,000 for the entertainment of Col. Charles A. Lindbergh and other famous airmen on July 22 and 23, 1927—that the same ought to pass.

Report accepted, said order passed, yeas 16, nays 0.

## ADJOURNMENT.

President HEFFERNAN—The purpose for which the meeting was called having been accomplished, the Council stands adjourned.

Adjourned at 2.55 p. m.





## CITY OF BOSTON.

## Proceedings of City Council.

Monday, July 25, 1927.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President HEFFERNAN in the chair. Absent, Coun. Ward.

## JURORS DRAWN.

Jurors were drawn in the manner prescribed by law, the Mayor absent, viz.:

Twenty-six traverse jurors, Superior Criminal Court, to appear September 6, 1927:

William J. Burns, Ward 1; William J. Doherty, Ward 1; Bernard C. Gallo, Ward 1; Richard P. Shortis, Ward 2; Howell E. Deal, Ward 3; Frank R. McPherson, Ward 4; John Richardson, Ward 5; Edward Bergh, Jr., Ward 6; Charles M. McKinnon, Ward 6; Matthew M. Milan, Ward 6; John Daly, Ward 7; Edward F. Glavin, Ward 7; Joseph E. Mallard, Ward 7; Clifton W. Taylor, Ward 7; Patrick F. Matthews, Ward 8; Richard J. Doyle, Ward 11; Richard T. Ayers, Ward 12; Augustus R. Gilliland, Ward 13; Thomas J. Rice, Ward 13; Patrick H. Sullivan, Ward 14; Frank E. Rowbotham, Ward 17; James Roberts, Ward 18; William J. Garrity, Ward 19; Frederick T. Parker, Ward 19; Charles S. Robertson, Ward 19; Charles Gibbins, Ward 20.

Twenty-nine traverse jurors, Superior Civil Court, Third Session:

James Gross, Ward 1; Patrick F. Moynihan, Ward 2; Braxton C. Gill, Ward 3; Elmer D. Bailey, Ward 4; Albert A. Sargent, Ward 4; Daniel Harrington, Ward 6; Francis V. Tyner, Ward 6; Frank M. Silva, Ward 7; Stephen F. Keane, Ward 8; William J. Neville, Ward 8; William E. Walsh, Ward 8; Albert A. Simonds, Ward 9; Joseph M. Brennan, Ward 11; Fritz Jacobson, Ward 11; George H. Oberle, Ward 11; Arthur F. Norcross, Ward 12; H. Lenwood Bailey, Ward 13; Stillman A. Hipson, Ward 13; Thaddeus J. McDonough, Ward 13; Ralph R. Willimott, Ward 13; Jacob Kardonick, Ward 14; Roscoe C. Adams, Ward 16; Samuel James Brennan, Ward 17; Harry Green, Ward 17; Leon A. Hershey, Ward 17; Arnold F. Gilman, Ward 20; William C. Terry, Ward 20; Ezra Abbott Coleman, Ward 21; Patrick J. Grinley, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Fourth Session:

David A. Landrigan, Ward 1; John J. O'Neil, Ward 1; Samuel Woolf, Ward 1; Abbott Gray, Ward 3; John J. Kennedy, Ward 3; Elford L. Wells, Ward 3; Edward O. Hamill, Ward 4; John P. Hopkins, Ward 5; John T. Scully, Jr., Ward 5; John H. Cook, Ward 6; Charles V. Dorgan, Ward 6; James P. O'Connor, Ward 6; Albert L. Farley, Ward 10; William W. Sharpe, Ward 11; Samuel Cohen, Ward 12; David Hoffman, Ward 12; Newton J. Flint, Ward 13; John J. Liston, Ward 13; Edwin Nylander, Ward 13; James A. Walker, Ward 13; Dennis F. Callanan, Ward 14; Cornelius J. Mahoney, Jr., Ward 15; Fred Bainton, Ward 18; James G. Harrington, Ward 18; Crawford E. Jennings, Ward 18; Harry E. Kimball, Ward 18; Albert C. Madan, Ward 18; John B. Blotto, Ward 19; William M. Sales, Jr., Ward 20.

Twenty-seven traverse jurors, Superior Civil Court, Sixth Session:

William A. Haskell, Ward 1; Marcino Santosuoso, Ward 1; Albert F. Minot, Ward 2; Timothy J. Murray, Ward 2; Nason B. Cook, Ward 4; Joseph A. Woodward, Ward 4; William Mott, Ward 5; John H. Galvin, Ward 6;

Thomas Joyce, Ward 6; Charles Thorpe, Ward 6; Frank L. Clapp, Ward 7; James F. Donohue, Ward 7; John F. Croke, Ward 9; Christopher Winter, Ward 9; Frank L. Spiegel, Ward 11; Felix F. J. Carroll, Ward 12; Walter Nelson, Ward 12; William J. Smith, Ward 13; Harry B. Weinstein, Ward 14; James Curran, Ward 17; Coleman J. Foley, Ward 19; Charles H. Ellis, Ward 20; Benjamin A. Greenwich, Ward 20; Herbert E. Kohl, Ward 20; Warner D. Whittemore, Ward 20; Morris E. Berman, Ward 21; Norbert J. Reilly, Ward 21.

Twenty-eight traverse jurors, Superior Civil Court, Seventh Session:

Edward W. Forster, Ward 1; Daniel J. Kelly, Ward 1; John N. Wilson, Ward 2; Francis H. Kennedy, Ward 4; Theodore Mays, Ward 5; Francis E. Leary, Ward 7; John J. McShane, Ward 7; Joseph Lizotte, Ward 8; John T. Williams, Ward 8; Charles L. Mallard, Ward 9; David Watt, Ward 9; Frank W. Aspinwall, Ward 10; Walter E. Marsh, Ward 10; Victor Sixten Forsgren, Ward 11; Fritz J. Johnson, Ward 11; Harris Blackman, Ward 12; Rufus B. Skinner, Ward 13; William Ralph Freethy, Ward 14; Walter W. Jolli-more, Ward 17; Paul Beigbender, Ward 18; Fred C. Hald, Ward 19; Lester B. Arnold, Ward 20; Henry H. Pickernell, Ward 20; Elmer C. Howe, Ward 21; John J. Ryan, Ward 21; Walter F. Spinney, Ward 21; Thomas W. Hopkins, Ward 22; Charles E. Wellington, Ward 22.

## APPOINTMENT OF WEIGHERS.

The following was received:

Office of the Mayor,

City Hall, July 19, 1927.

To the City Council.

Gentlemen,—Subject to the confirmation of your honorable body I hereby appoint as weighers the following:

Weighers of Coal: J. J. Rabinovitz, 62 Wellington Hill street, Mattapan; Thomas F. Riley, 12 Eastman street, Dorchester.

Weigher of Coal and Measurer of Wood and Bark: Kenneth F. George, 21 Clark street, Newton Centre.

Weigher of Goods: Samuel Guber, 56 Cambridge street, East Cambridge.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Laid over under the law.

## APPOINTMENT OF CONSTABLES.

The following was received:

City of Boston,

Office of the Mayor, July 18, 1927.

To the Honorable City Council.

Gentlemen,—Subject to the confirmation of your honorable body I hereby appoint the following named persons as constables of the City of Boston: William E. Elton, 22 Thurston street, Ward 1; Harry Kahn, 87 Waumbek street, Ward 12; George Roche, 38 Westland avenue, Ward 4.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Laid over under the law.

City of Boston,

Office of the Mayor, July 13, 1927.

To the City Council.

Gentlemen,—Subject to the confirmation of your honorable body I hereby appoint the following named person as a constable of the City of Boston: John Sualich, 68 Hampden street, Ward 8.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Laid over under the law.

# VETO—LEASE TO VETERANS OF FOREIGN WARS.

The following was received:

City of Boston,  
Office of the Mayor, July 12, 1927.  
To the Honorable City Council.  
Gentlemen,—I hereby return, without my approval, the order passed by your honorable body authorizing the lease to Thomas J. Fitzgerald Post, No. 561, Veterans of Foreign Wars of the United States, of the room in the Municipal Building, South Boston, formerly occupied by the American Red Cross, for the reason that the Superintendent of Public Buildings, who is in charge of the Municipal Building, in a letter directed to me, states that he is not yet satisfied that the proposed lease will not interfere with the proper use of the building for court purposes, and consequently expresses a doubt whether it would be for the best interests of the city.

I inclose herewith for your information a copy of this communication.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Buildings Department,  
July 11, 1927.

HON. MALCOLM E. NICHOLS,  
Mayor of Boston.

Dear Sir,—Replying to the order of the City Council relative to granting a lease to the Thomas J. Fitzgerald Post, No. 561, Veterans of Foreign Wars, for headquarters in a room of the South Boston Municipal Building formerly occupied by the American Red Cross, I wish to say that I have considered this matter and am not as yet satisfied that it will not interfere with the proper use of the building for court purposes and that it would be for the best interests of the city.

Respectfully yours,  
JOHN P. ENGLERT,  
Superintendent of Public Buildings.

Placed on file.

# VETO—WEST END PLAYGROUND APPROPRIATION.

The following was received:

City of Boston,  
Office of the Mayor, July 12, 1927.  
To the City Council.  
Gentlemen,—I return without my approval your order under date of June 27 providing for the appropriation of \$250,000 for the purchase of land for playground purposes in the West End section of Ward 3.  
At the present time requests and petitions are in the office of the Park Commission for new playgrounds in the following districts:  
East Boston. Vicinity of Wordsworth street.  
Charlestown. Vicinity of Charlestown Heights, extension of Emmons Playground to Austin street.  
City Proper. Present proposal for West End, South End. Vicinity of Columbus avenue and Newton street.  
Brighton. Vicinity of Market street and in Faneuil district.  
West Roxbury. Germantown district and Clarendon Hill section.  
Roxbury. Fairfield street section.  
Dorchester. Uphams Corner section, Milton Lower Mills section, Mattapan section.  
Jamaica Plain. Bromley Park section.  
Forest Hills. Morton street section. Canterbury street section.  
Hyde Park. Rugby section.

Since the introduction of the West End Playground order several other playground orders have been introduced and are now pending before your honorable body. These orders carry with effect the foregoing requests and petitions. If all were to be given favorable consideration the immediate investment required of the city would, in the opinion of

the Park Department, amount to about three and one half millions.

The last comprehensive report upon playgrounds issued by the Park Department in November, 1925, does not indicate the need of future playground facilities in the West End, but is directed rather toward the establishment of playgrounds elsewhere. There is everything to be said in favor of more playgrounds, nevertheless, all pending requests and petitions have an equal claim upon our attention, and all should be considered before any one is granted.

Since I have been Mayor, so many have been the demands and so great the expense that it seemed the part of wise economy to consider how existing playgrounds could be made more widely serviceable. Under the plan adopted we have increased their utility by at least 75 per cent. In commendation of this plan, I quote from a letter to me under date of June 20 from Curtis L. Harrington, representative of the Playground and Recreation Association of America, as follows:

"At your play areas I found constructive work being done and was particularly pleased at the decidedly progressive steps taken last year in the appointing of twenty people to furnish leadership on these areas. From our national experience, leadership is vital if we are to secure the measure of results from recreation which we should have. These play areas in the City of Boston are effecting for good thousands of people daily and the number is constantly increasing, due to the instructions you have given the Park Department to utilize the playgrounds to the fullest extent and keep the children off the streets."

Only a few days ago the excellence of our park playground system was given national wide publicity through the favorable comment of President Coolidge.

For the equipment and maintenance of playgrounds the sum of \$182,000 is provided in the budget this year. A survey of playgrounds recently made by the Park Department indicates that the sum of \$357,000 could be advantageously expended upon construction and equipment on existing play areas, and this need alone should be carefully noted when new playgrounds are being considered.

Your order is defective in its failure to make provision for the items of construction and equipment. It provides only for buying land. Without a further order covering such items, no playground could be established.

In view of the foregoing, I find it necessary to withhold my signature. I do so, however, without passing upon the merits of the playground denied. Every playground request undoubtedly has merit, although this proposal should be closely viewed with reference to the fine play area in the West End along the Charlesbank containing ten acres and having 150 acres of surrounding city limits within a quarter of a mile distance. The usefulness of the Charlesbank Playground has been greatly enhanced during the past year through the adoption of play leadership.

In providing for an expansion of play areas and the development of existing facilities, we should follow a systematic policy of giving a fair study to the needs of every section of the city. In pursuance of this policy, I have appointed today a special committee of representative citizens to study and compare these needs and to submit appropriate recommendations thereon.

William P. Long, chairman, Board of Park Commissioners.

Charles A. Coolidge, architect, former member of Park Commission.

James E. McConnell, lawyer, former member of Park Commission.

Francis D. Donoghue, M. D., medical adviser, Industrial Accident Board of the Commonwealth.

Mrs. Ely Feibelman, President of the League of Jewish Women's Organizations, a vice-president, Boston Section, Council of Jewish Women and a member of the Welfare Board of the Children's Hospital.

Stephen W. Sleeper, president, Boston real Estate Exchange.  
V. C. Bruce Wetmore.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.  
Placed on file.

#### VETO OF ORDINANCE CONCERNING CONTRACTS.

The following was received:

City of Boston,  
Office of the Mayor, July 23, 1927.  
To the City Council.

Gentlemen,—I return, without my approval, your order of July 11, providing for an amendment of section 13, chapter 40, of the Revised Ordinances of 1925 relating to contracts with the city, together with an opinion of the Corporation Counsel relating to the same.

For the reasons stated in this opinion, I cannot give this order my approval.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor

City of Boston,  
Law Department, July 20, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your letter of July 13, 1927, in which you ask to be advised concerning the ordinance of the City Council passed on July 11, 1927, whereby section 13, chapter 40, of the Revised Ordinances of 1925, relating to contracts with the City of Boston, is amended by requiring all contracts made by the city to be made only with citizens or corporations, wherein the controlling interest is owned by citizens of the United States, whose plant or plants are in the United States.

In my opinion this amendment should not receive your Honor's approval. Before this amendment was passed by the City Council, section 13 restricted the city to making contracts with citizens of the United States or with corporations, the controlling interest in which was in the hands of citizens of the United States. This section has worked in many instances to the disadvantage of the city because of its inability to make contracts with individuals other than citizens, who have offered better prices than those submitted by individuals or corporations who come within the ordinance.

The existing ordinance has tended to restrict the possibility of the city securing better prices and more competition in bidding.

The proposed amendment still further restricts the city in this respect. The amendment is not a step towards economy but, on the contrary, will undoubtedly cause the city to expend larger sums of money because of a restricted field of bidders. There have been many instances where citizens of the United States and corporations, the controlling interest in which is in the hands of citizens of this country with plants in other countries, have offered better prices to the city than have citizens of this country and corporations controlled by citizens, whose plants are located in the United States. So too have bidders, who are citizens of this country but do their business through subcontractors who have plants in other countries, been able to offer better prices to the city. Why they should be penalized and the city required to pay higher prices, because their plants are not located in this country, is hard to understand.

Indeed it is common knowledge that many products sold in this country are made exclusively in foreign countries because of the source of supply and the necessity for manufacturing these products nearby such source of supply. These products manufactured in other countries it may be are better adapted for the purposes of the municipal departments and indeed may be much cheaper in price than the local products.

There are many circumstances that enter into the manufacture of merchandise. Many

of the established and well advertised products of this country must necessarily be manufactured in plants in other countries and these same products are in many instances sold much cheaper in this country than the native products.

The proposed amendment, it seems to me, is in the direction of extravagance rather than economy and should, therefore, not receive your Honor's approval.

The existing ordinance is restrictive and costly enough to the city no further restriction upon the power and right to purchase supplies should be placed upon the city government.

Yours very truly,  
FRANK S. DELAND,  
Corporation Counsel.

Referred, on motion of Coun. GUILD, to the Executive Committee.

#### GYMNASIUM AT FRANKLIN PARK.

The following was received:

City of Boston,  
Office of the Mayor, July 18, 1927.  
To the Honorable City Council.

Gentlemen,—I transmit herewith a communication from the Park Department, in reply to your order of July 11, 1927, relative to the equipping and maintaining as a public gymnasium and Refectory Building in Franklin Park.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, July 16, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of July 13, with inclosure, order from the City Council that the Board of Park Commissioners be requested, through his Honor the Mayor to equip and maintain as a public gymnasium the Refectory Building in Franklin Park.

In reply I desire to say that this Refectory Building is used partly by the golfers as a locker room and the balance is let as a concession for a period of five years. Under the conditions it would be impossible to maintain such as a public gymnasium.

Very truly yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

#### PLAYGROUND, WARD 9.

The following was received:

City of Boston,  
Office of the Mayor, July 18, 1927.  
To the Honorable City Council.

Gentlemen,—I transmit herewith a communication from the Park Department, in reply to your order of July 11, 1927, relative to the establishment of a playground in the vicinity of Hampshire, Downing and Whittier streets, Ward 9.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, July 16, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of July 13, with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to provide a sum sufficient for the establishment of a playground in the vicinity of Hampshire, Downing and Whittier streets, Ward 9.

In reply I desire to say that this communication will be referred to the Committee appointed by your Honor to survey the playground in the City of Boston.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.



# SWIMMING POOL AT CHARLESTOWN HEIGHTS.

The following was received:

City of Boston,

Office of the Mayor, July 15, 1927.

Gentlemen,—I transmit herewith a communication from the Park Department, in reply to your order of June 27, 1927, relative to the advisability of constructing an all-year-round swimming pool on Charlestown Heights.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, July 6, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of June 30, with inclosure, order of the City Council, that the Park Commission be requested to consider and report to the City Council as to the advisability of constructing an all-year around swimming pool on Charlestown Heights for the use of men, women and children in said section.

In reply I desire to say that it would cost at least \$400,000 to erect a building suitable for all-year around bathing. Furthermore, the erection of a building large enough to accommodate the numbers that would use it in this section, would despoil the playground area now used by the children in large numbers.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

# HANDBALL COURTS AT WORLD WAR PARK.

The following was received:

City of Boston,

Office of the Mayor, July 15, 1927.

To the Honorable City Council.

Gentlemen,—I transmit herewith a communication from the Park Department, in reply to your order of June 27, 1927, relative to the construction of handball courts at World War Memorial Park, East Boston.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, July 5, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of June 30, 1927, with inclosure, order from the City Council, that the Park Commission be requested, to provide for the installation of handball courts at World War Memorial Park, East Boston, and that the expense of same be charged to the Parkman Fund.

In reply I desire to say that the Board of Park Commissioners do not think it advisable to install handball courts on any of the playgrounds. Handball is a game that should be played inside—it is impossible to control outdoor handball courts—they are simply used as sanitariums on the playgrounds.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

# PLAYGROUND, WARD 18.

The following was received:

City of Boston,

Office of the Mayor, July 15, 1927.

To the Honorable City Council.

Gentlemen,—I transmit herewith a communication from the Park Department, in reply to your order of June 27, 1927, relative to a playground in the vicinity of Clarendon Hills Station, Hyde Park.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, July 6, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of June 30, with inclosure, order from the City Council, that the Park Commissioners be requested, through his Honor the Mayor, to provide a playground in the vicinity of Clarendon Hills Station, Hyde Park, to serve the new proposed high school, the Metropolitan Hill section and the Mt. Hope section of Ward 18.

In reply I desire to state that the Board of Park Commissioners are familiar with the needs of the Clarendon Hills section, and it would be a great pleasure to comply with the councilors' order, but we have no funds available for this purpose, and further, the Board is of the opinion that in consideration of the present financial condition of the city, further expenditures for land and extension of playgrounds should be discontinued for some time, except in a case where the requirements for a playground shall be of more than ordinary necessity. It is also of the opinion that there is a greater necessity for adequate improvements of the playgrounds already in existence and not yet developed, and that appropriations for this purpose will be more efficient for the general needs of the citizens than further extensions of the playgrounds at the present time.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

# SWINGS AT FATHER BUCKLEY PLAYGROUND.

The following was received:

City of Boston

Office of the Mayor, July 15, 1927.

To the Honorable City Council.

Gentlemen,—I transmit herewith a communication from the Park Department, in reply to your order of June 27, 1927, relative to the installation of swings and sand boxes at the Father Buckley Playground, West Third street, South Boston.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston

Park Department, July 5, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of June 30, with inclosure, order from the City Council, that the Park Commission be requested through his Honor the Mayor, to provide for the installation of swings and sand boxes at the Father Buckley Playground, West Third street, South Boston.

In reply I desire to say that arrangements will be made to install swings at once; sand boxes have been discontinued on the playgrounds in Boston, owing to sanitary reasons—also, the danger to children from the sand being thrown into their eyes by others.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

# SMITH'S POND PLAYGROUND.

The following was received:

City of Boston,

Office of the Mayor, July 15, 1927.

To the Honorable City Council.

Gentlemen,—I transmit herewith a communication from the Park Department, in reply to your order of June 27, 1927, relative to Smith's Pond Playground.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, July 5, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of June 30, with inclosure, order from the City Council, that the Park Commissioners be requested to put Smith's Pond Playground in condition.

In reply I desire to say I will have said playground attended to at once. I am informed by the superintendent that the playground is in good condition at the present time.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.  
Placed on file.

#### INFORMATION AS TO STREET LIGHTING.

The following was received:

City of Boston,  
Office of the Mayor, July 13, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Public Works Commissioner in reply to your order of May 9, 1927, relative to street lighting as well as a letter from the Edison Electric Illuminating Company of Boston.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, June 29, 1927.  
To the Honorable the Mayor.

I inclose a report from the Edison Electric Illuminating Company, in response to the order of the City Council of May 9, requesting certain information relative to street lighting.

In this connection I also desire to say that a copy of the order was sent to the Board of Public Utilities, with whom I subsequently talked relative to it. The chairman of that Board does not feel that he will be able to go into the matter extensively as he does not feel that he has the information at hand necessary to answer all the questions. However, he stated that he would give the matter full consideration and would communicate with us as soon as possible.

Yours respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Edison Electric Illuminating Company  
of Boston,

Office of the President, 70 State Street,  
Boston, June 21, 1927.

Mr. James H. Sullivan, Commissioner of Public Works.

Dear Sir,—I am giving you below the answers, in so far as they can be made, to the questions submitted with your letter of May 17 relative to the City of Boston street lighting:

1. The bills rendered the City of Boston for street lighting during the calendar year 1926 amounted in all to \$627,203.32, for which \$520,832.35 was for magnetite arc lighting and the balance, \$106,370.97, for incandescent lighting.

2. All charges on the bills during the calendar year 1926 were made in accordance with Rate E on file with the Massachusetts Department of Public Utilities, effective September 1, 1925, revised September 1, 1926. A copy of the revision is attached and differs from the rate filed September 1, 1925, only in the addition of 1,500 c. p. and 2,500 c. p. incandescent series lamps and in certain minor changes in the wording under the title, "Lamp Service."

3. \$93.42 per lamp per year for 3,828 hours burning, the price charged for magnetite arc lamps and 1,500 c. p. incandescent lamps, is a rate originally filed by the Board of Gas and Electric Light Commissioners sitting as arbitrators under the provisions of a ten-year contract between the city and the company, approved December 7, 1914, as modified by an agreement between the city and the company

in the spring of 1925, whereby the company waived a claim for additional compensation under the last five years of the 1914 contract and the city agreed that the above mentioned price was fair. (See answer 12.)

We do not know whether or not the Board of Gas and Electric Light Commissioners determined the proportionate portions of the charge which were applicable to the lamp and equipment, to maintenance and to the cost of electric current.

4. The new money required to pay the cost of installing a new lamp and post "ready to light" depends not only upon the cost of the post and the lamp and the cost of installation, but also upon the length of new wire and conduit which must be installed to reach the lamp, whether or not the installation of the new lamp requires the construction of new circuits or the rearrangements of old circuits from the substation, and also whether new street lighting converting apparatus is required at the substation. Unless the question is made more specific, it cannot be answered.

5. No separate charge is made by the company for the electricity supplied street lamps. (See answer 3.)

6. No separate charge is made for the maintenance, repair and replacement of property used in street lighting service. (See answer 3.)

7. No separate charge is made for electric light poles and other equipment. (See answer 3.)

8. See answer 4.

9 and 10. The feasibility and practicability of ownership by the city of the lamp-posts would seem properly a question for the city's engineers and attorneys rather than for the company. An answer to the question depends upon various considerations and whether by lamp-post it is intended to include the lamp and fixture and to include in the cost the cost of setting the pole, wiring the pole and assembling various parts. The initial investment of the city would depend of course upon how much of the above elements of cost it expected to assume. If the city owned the poles and lamps and intended to operate and maintain them itself, the answer to the question depends on whether it is as well equipped to do this work economically as the company is.

11. The question whether if the city owned the lamp-post the company would furnish the lamps for original installation and renewals depends entirely upon whether the rate charged for the service performed by the company includes the cost of lamp service.

12. The \$89 price for magnetite arc lamps in force during the term of the 1914 contract was a list price fixed by the Gas and Electric Light Commission, under the terms of the ten-year 1914 contract, for the first five years of the term. This contract provided that at the end of five years a new price should be fixed by the commission to be effective during the last five years of the term. The city and the company jointly petitioned the Department of Public Utilities (successors to the Gas and Electric Light Commission) to fix the price for the last five years, and in presenting its case to the department the company asked that the rates for the city be fixed at the rates then prevailing over the remainder of its territory and fled with the department, and showed that the increase in costs over costs of the year 1914 very largely exceeded the increase in the rates. The company's claim, if it had been prosecuted to a successful termination, would have required the city to pay the company very large sums of money for the five-year period in question. At the same time that this street lighting arbitration proceeding was pending before the department there was also pending the petition of the Mayor of Boston for a revision of the maximum lighting rate. The city and the company made an agreement whereby the company waived its claim for increased prices during the five-year period in question, and the city agreed that the regular rates for street lighting filed with

the Department of Public Utilities should apply from the termination of the ten-year contract. The difference between the new rate and the old rate reflects part of the increase in the cost of coal, material and labor over the cost in 1914.

13. See answer 3.

14. The poles referred to as in use by the Police Department of the city are owned by the city and we are unable to furnish the cost of the same.

Very truly yours,

C. L. EDGAR, President.

Placed on file.

#### INSTALLATION OF ARC LAMPS.

The following was received:

City of Boston,  
Office of the Mayor, July 13, 1927.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the Public Works Department, in reply to your orders of:  
December 6, 1926—Relative to construction of electric arc lamp at corner of Talbot avenue and Blue Hill avenue, Ward 14.  
March 7, 1927—Relative to construction of electric arc lamp at corner of Train street and Victory road, Ward 16.  
April 4, 1927—Relative to construction of electric arc lamp at corner of Washington and Forest Hills streets, Ward 11.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, July 6, 1927.  
To the Honorable the Mayor.

I return three orders of the City Council relating to arc lamps, and report that orders have been given to the Edison Company to install arc lamps at the locations requested, which are as follows: Corner of Train street and Victory road, Ward 16. Corner of Washington and Forest Hills street, Ward 11. Corner of Talbot and Blue Hill avenues, Ward 14.

Yours very truly,

J. H. SULLIVAN,

Commissioner of Public Works.

Placed on file.

#### FIREPROOFING PUBLIC LIBRARY.

The following was received:

City of Boston,  
Office of the Mayor, July 13, 1927.  
To the City Council.  
Gentlemen,—The Central Library Building in Copley square contains thousands of volumes and many valuable treasures which if destroyed by fire could never be replaced. While the building is of first-class construction and supposedly fireproof, nevertheless, in the opinion of the trustees of the library, safeguards should be provided and improvements made so that the possibility of loss from fire should be reduced to a minimum. I submit herewith correspondence and data submitted by the trustees relative to this subject and in accordance with the request contained therein, I recommend adoption by your honorable body of the accompanying loan order providing an appropriation of \$250,000 for the purpose of fireproofing and improving the Central Library Building at Copley Square. The detail in connection with this amount is shown below:

|                                                   |           |
|---------------------------------------------------|-----------|
| Safeguarding valuable collections.....            | \$175,000 |
| Fireproofing of building.....                     | 35,000    |
| Professional fees (architects and engineers)..... | 20,000    |
| Miscellaneous improvements.....                   | 20,000    |
|                                                   | <hr/>     |
|                                                   | \$250,000 |

In view of the investment which the Central Library Building represents to the city, I feel that the expenditure of the above mentioned sum for the purpose as outlined in the attached

communications is highly justifiable. I accordingly recommend adoption of the accompanying order by your honorable body.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$250,000 be and the same is hereby appropriated to be expended by the trustees of the Public Library for the Central Library Building, Fireproofing, Improvements, etc., and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds, or certificates of indebtedness of the city to said amount.

Referred to Committee on Finance.

#### LOAN FOR FIRE STATION, WEST END.

The following was received:

City of Boston,  
Office of the Mayor, July 12, 1927.  
To the City Council.  
Gentlemen,—I submit for your consideration an order in the sum of \$650,000 for the acquisition of land and the construction of a Central Fire Station at the corner of Bulfinch and Cambridge streets. This land is commonly known as the Revere House site and is strongly recommended by the Fire Commissioner as the ideal location from which to protect life and property in the West and North End districts.

A survey of the existing fire houses in this neighborhood indicates the pressing need of a modern, efficient plant which should be put in operation with as little delay as possible. It appears that a majority of your honorable body are in entire accord with the findings of this survey but that upon a similar order the vote was three short of the necessary two-thirds vote required by law for the passing of this appropriation.

I have placed the amount of the appropriation at \$650,000, of which \$350,000 is for the construction of the fire station, and \$300,000 for the site. This latter figure is in accordance with the estimate set by the Boston Real Estate Exchange Appraisal Committee, and I earnestly recommend the passage of this order.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$650,000 be and hereby is appropriated to be expended under the direction of the Fire Commissioner, for New Fire Station, West End District, and that to meet said appropriation the City Treasurer be authorized to issue from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to Committee on Finance.

#### TRANSFER FOR DORCHESTER COURT-HOUSE.

The following was received:

City of Boston,  
Office of the Mayor, July 25, 1927.  
To the City Council.  
Gentlemen,—I am advised by the Superintendent of Public Buildings that in order to complete the toilet facilities at the new Dorchester Courthouse an additional appropriation is necessary. In view of the small sum required, I deem it advisable to secure the amount from an unexpended balance remaining in a special appropriation of the Public Buildings Department. I accordingly submit herewith a transfer order providing for the transfer of \$353.88 from the appropriation for Faneuil Hall Building, an appropriation against which all liabilities have been met, to the appropriation for New Courthouse, Dorchester District. I respectfully recommend adoption of this order by your honorable body.

Respectfully,

MALCOLM E. NICHOLS, Mayor.



Ordered, That under authority of Chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer:

From the appropriation for Faneuil Hall Building, \$353.88, to the appropriation for Courthouse, Dorchester, \$353.88.

Referred to the Executive Committee.

#### DEPARTMENT TRANSFERS.

The following was received.

City of Boston,  
Office of the Mayor, July 25, 1927.  
To the City Council.

Gentlemen,—In connection with the preparation of the supplementary county budget two requests were received investigation of which disclosed the possibility of satisfying the requests within the original budget appropriations of the departments involved. I accordingly submit herewith two transfer orders providing for adjustments within the appropriations of the District Court of Chelsea and the Printing Department. I respectfully recommend adoption of these orders by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to make the following transfer in the appropriations for District Court of Chelsea:

From the appropriation for A-1, Permanent Employees, Probation Officer, Juvenile, 1 at \$1,700 per year, \$550, to the appropriation for B-4, Transportation of Persons, \$100; B-18, Cleaning, \$65; B-39, General Plant, \$135; C-9, Office, \$50; D-1, Office, \$200.

Ordered, That under authority of Chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Printing Department:

From the appropriation for B-10, Rent, Taxes and Water, \$481.99, to the appropriation for B-14, Motor Vehicle Repairs and Care, \$300; A-1, Permanent Employees, Cutters, 2 at \$38 (\$40) per week, \$121.33; Sheet Stockman, 1 at \$38 (\$40) per week, \$60.66.

Referred to the Executive Committee.

#### SUPPLEMENTARY BUDGET, COUNTY OF SUFFOLK.

The following was received:

City of Boston,  
Office of the Mayor, July 25, 1927.  
To the City Council.

Gentlemen,—I submit herewith a supplementary appropriation order for the County of Suffolk. This budget totals \$38,243.11 and is the smallest supplementary budget submitted in recent years. Various items of expense making up this document may be grouped according to origin or cause as follows:

|                                                         |                    |
|---------------------------------------------------------|--------------------|
| Alteration and repair of county buildings.....          | \$16,500 00        |
| Increased costs of correctional institutions.....       | 7,975 00           |
| Personal service changes.....                           | 7,803 11           |
| Additional equipment for county offices and courts..... | 5,105 00           |
| Miscellaneous.....                                      | 860 00             |
|                                                         | <u>\$38,243 11</u> |

Under the first item in the above schedule, appropriations are made available for alterations in the quarters of the Superior Court, improved ventilation in the Roxbury District Court, replacement of a boiler in the central courthouse, and the remodeling of the stairway in the East Boston District Court. Under the second item, appropriations are recom-

mended for additional food allowances at the Suffolk County Jail and House of Correction. Under the third item, appropriations are recommended to take care of increases in salary authorized by the Legislature of 1927 to the Medical Examiners of Suffolk County and their associates and to the officials of the South Boston District Court. In addition changes in the personal service schedules of the Superior and Municipal Courts are provided. All of the changes under this item are mandatory upon the city, being based on current legislation or existing statutes. Under the fourth item, appropriations sufficient to complete the furnishing and equipping of the new courthouses in Dorchester and Brighton are recommended.

In the event of the adoption of these recommendations by your honorable body, the tax levy requirements for Suffolk County for the current year will stand at \$3,384,301.09, a figure \$61,016.99 less than the requirements of the county for the year 1926. I respectfully recommend the passage of the accompanying order.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1927, for performing the duties and exercising the powers devolved by statute or ordinance, or by vote of the City Council during the year, upon the City of Boston or County of Suffolk or the departments or officers thereof, the respective sums of money specified in the tables and schedules hereinafter set out be and the same are hereby appropriated for the several departments and for the objects and purposes hereinafter stated, that the same be raised by taxation upon the polls and estates in the City of Boston, and that all orders heretofore passed by the City Council relating to appropriations and taxes and the interest thereon apply to the taxes herein provided for.

#### Suffolk County Courthouse (Custodian).

|                                               |                    |
|-----------------------------------------------|--------------------|
| A. Personal Service as per Schedule           |                    |
| A.....                                        | \$804 00           |
| 1. Permanent Employees.....                   | \$804 00           |
| Suffolk County Courthouse (County Buildings). |                    |
| B. Service Other than Personal.....           | \$10,000 00        |
| 39. General Plant.....                        | \$10,000 00        |
| C. Equipment.....                             | 1,000 00           |
| 7. Furniture and Fittings.....                | \$1,000 00         |
|                                               | <u>\$11,000 00</u> |

#### County Buildings.

|                                     |                   |
|-------------------------------------|-------------------|
| B. Service Other than Personal..... | \$2,500 00        |
| 39. General Plant.....              | \$2,500 00        |
| C. Equipment.....                   | 4,000 00          |
| 7. Furniture and Fittings.....      | \$4,000 00        |
|                                     | <u>\$6,500 00</u> |

#### Jail.

|                                     |                   |
|-------------------------------------|-------------------|
| A. Personal Service as per Schedule |                   |
| A.....                              | \$304 50          |
| 2. Temporary Employees.....         | \$304 50          |
| D. Supplies.....                    | 3,000 00          |
| 2. Food and Ice.....                | \$3,000 00        |
|                                     | <u>\$3,304 50</u> |

#### Superior Court, Civil Session, Clerk's Office.

|                                     |                 |
|-------------------------------------|-----------------|
| B. Service Other than Personal..... | \$100 00        |
| 39. General Plant.....              | \$100 00        |
| D. Supplies.....                    | 500 00          |
| 1. Office.....                      | \$500 00        |
|                                     | <u>\$600 00</u> |

|                                     |                   |  |
|-------------------------------------|-------------------|--|
| Superior Court, Criminal Session.   |                   |  |
| A. Personal Service as per Schedule |                   |  |
| A.....                              | \$1,284 02        |  |
| 1. Permanent Employ-                |                   |  |
| ces.....                            | \$1,284 02        |  |
| B. Service Other than Personal..... | 100 00            |  |
| 37. Photographic and Blue-          |                   |  |
| printing.....                       | \$100 00          |  |
| C. Equipment.....                   | 100 00            |  |
| 10. Library.....                    | \$100 00          |  |
|                                     | <u>\$1,484 02</u> |  |

|                                     |            |  |
|-------------------------------------|------------|--|
| Municipal Court, City of Boston.    |            |  |
| A. Personal Service as per Schedule |            |  |
| A.....                              | \$1,965 83 |  |
| 1. Permanent Employ-                |            |  |
| ees.....                            | \$1,774 16 |  |
| 2. Temporary Employ-                |            |  |
| ees.....                            | 191 67     |  |

|                                     |          |  |
|-------------------------------------|----------|--|
| East Boston District Court.         |          |  |
| A. Personal Service as per Schedule |          |  |
| A.....                              | \$500 00 |  |
| 2. Temporary.....                   | \$500 00 |  |

|                                         |            |  |
|-----------------------------------------|------------|--|
| Municipal Court, South Boston District. |            |  |
| A. Personal Service as per Schedule     |            |  |
| A.....                                  | \$1,343 96 |  |
| 1. Permanent Employ-                    |            |  |
| ces.....                                | \$1,181 46 |  |
| 2. Temporary.....                       | 162 50     |  |

|                                       |                 |  |
|---------------------------------------|-----------------|--|
| Municipal Court, Dorchester District. |                 |  |
| B. Service Other than Personal.....   | \$100 00        |  |
| 13. Communication.....                | \$100 00        |  |
| G. Miscellaneous.....                 | 60 00           |  |
| 1. Probation Officers' Expenses.....  | \$60.00         |  |
|                                       | <u>\$160 00</u> |  |

|                                              |          |  |
|----------------------------------------------|----------|--|
| Medical Examiner Service, Northern Division. |          |  |
| A. Personal Service as per Schedule          |          |  |
| A.....                                       | \$566 67 |  |
| 1. Permanent Employ-                         |          |  |
| ees.....                                     | \$566 67 |  |

|                                              |          |  |
|----------------------------------------------|----------|--|
| Medical Examiner Service, Southern Division. |          |  |
| A. Personal Service as per Schedule          |          |  |
| A.....                                       | \$844 87 |  |
| 1. Permanent Employ-                         |          |  |
| ees.....                                     | \$844 87 |  |

|                                                        |         |  |
|--------------------------------------------------------|---------|--|
| Associate Medical Examiner Service, Northern Division. |         |  |
| A. Personal Service as per Schedule                    |         |  |
| A.....                                                 | \$94 63 |  |
| 1. Permanent Employ-                                   |         |  |
| ees.....                                               | \$94 63 |  |

|                                                        |         |  |
|--------------------------------------------------------|---------|--|
| Associate Medical Examiner Service, Southern Division. |         |  |
| A. Personal Service as per Schedule                    |         |  |
| A.....                                                 | \$94 63 |  |
| 1. Permanent Employ-                                   |         |  |
| ees.....                                               | \$94 63 |  |

|                                                 |        |  |
|-------------------------------------------------|--------|--|
| Penal Institutions Department, Office Expenses. |        |  |
| C. Equipment.....                               | \$5 00 |  |
| 9. Office.....                                  | \$5 00 |  |

|                                      |            |  |
|--------------------------------------|------------|--|
| House of Correction.                 |            |  |
| B. Service Other than Personal.....  | \$2,000 00 |  |
| 39. General Plant.....               | \$2,000 00 |  |
| D. Supplies.....                     | 3,650 00   |  |
| 4. Forage and Ani-                   |            |  |
| mal.....                             | \$2,500 00 |  |
| 8. Laundry, Cleaning and Toilet..... | 500 00     |  |

|                                      |                   |  |
|--------------------------------------|-------------------|--|
| 9. Educational and Recreational..... | 150 00            |  |
| 16. General Plant.....               | 500 00            |  |
| F. Special Items.....                | 825 00            |  |
| 7. Pension and An-                   |                   |  |
| nuities.....                         | \$825 00          |  |
|                                      | <u>\$6,475 00</u> |  |

|                                     |                   |  |
|-------------------------------------|-------------------|--|
| Steamer "Michael J. Perkins."       |                   |  |
| B. Service Other than Personal..... | \$2,000 00        |  |
| 39. General Plant.....              | \$2,000 00        |  |
| D. Supplies.....                    | 500 00            |  |
| 3. Fuel.....                        | \$500 00          |  |
|                                     | <u>\$2,500 00</u> |  |

|                                            |          |  |
|--------------------------------------------|----------|--|
| SCHEDULE A.                                |          |  |
| County of Suffolk.                         |          |  |
| Suffolk County Courthouse, Custodian.      |          |  |
| Mechanic's helper, 1 at \$36 per week..... | \$804 00 |  |
| Jail.                                      |          |  |
| Temporary .....                            | \$304 50 |  |

|                                                         |                   |  |
|---------------------------------------------------------|-------------------|--|
| Superior Court, Criminal Session. Probation Department. |                   |  |
| Probation officer, 1 at \$2,280 (\$2,400) per year..... | \$65 83           |  |
| Probation officer, 1 at \$2,280 per year.....           | 1,218 19          |  |
| Clerical assistants, 2 at \$900 (\$1,100) per year..... | 000 00            |  |
|                                                         | <u>\$1,284 02</u> |  |

|                                                                                   |                   |  |
|-----------------------------------------------------------------------------------|-------------------|--|
| Municipal Court, City of Boston. Probation Department.                            |                   |  |
| Probation officer, assistant chief (female), 1 at \$2,600 (\$2,800) per year..... | \$87 50           |  |
| Probation officers, deputy (male), 2 at \$2,800 (\$2,900) per year.....           | 83 33             |  |
| Probation officers, deputy (female), 2 at \$2,300 (\$2,400) per year.....         | 83 33             |  |
| Clerks, 7 at \$1,600 (\$1,800) per year.....                                      | 400 00            |  |
| Clerk, 1 at \$1,500 (\$1,600) per year.....                                       | 50 00             |  |
| Clerks, 2 at \$1,400 (\$1,500) per year.....                                      | 100 00            |  |
| Clerks, 2 at \$1,300 (\$1,400) per year.....                                      | 100 00            |  |
| Clerk, 1 at \$1,200 (\$1,300) per year.....                                       | 50 00             |  |
| Clerks, 4 at \$1,100 (\$1,250) per year.....                                      | 300 00            |  |
| Clerks, 1 at \$1,100 per year.....                                                | 520 00            |  |
|                                                                                   | <u>\$1,774 16</u> |  |
| Temporary .....                                                                   | \$191 67          |  |

|                             |          |  |
|-----------------------------|----------|--|
| East Boston District Court. |          |  |
| Temporary .....             | \$500 00 |  |

|                                                              |                   |  |
|--------------------------------------------------------------|-------------------|--|
| Municipal Court, South Boston District.                      |                   |  |
| Justice, 1 at \$3,900 (\$4,500) per year.....                | \$276 66          |  |
| Clerk, 1 at \$2,925 (\$3,375) per year.....                  | 207 50            |  |
| Clerk, assistant, 1 at \$2,193.75 (\$2,531.25) per year..... | 155 63            |  |
| Clerk, probation office, 1 at \$1,300 per year.....          | 541 67            |  |
| year .....                                                   | <u>\$1,181 46</u> |  |
| Temporary .....                                              | \$162 50          |  |

|                                                        |          |  |
|--------------------------------------------------------|----------|--|
| Medical Examiner Service, Northern Division.           |          |  |
| Medical examiner, 1 at \$5,000 (\$6,000) per year..... | \$566 67 |  |

|                                                           |                 |  |
|-----------------------------------------------------------|-----------------|--|
| Medical Examiner Service, Southern Division.              |                 |  |
| Medical examiner, 1 at \$5,000 (\$6,000) per year.....    | \$566 67        |  |
| Chauffeur, 1 at \$1,600 (\$1,800) per year.....           | 113 33          |  |
| Secretary, 1 at \$1,600 (\$1,700) per year.....           | 56 67           |  |
| Stenographers, 2 at \$22 per week (\$1,250 per year)..... | 108 20          |  |
|                                                           | <u>\$844 87</u> |  |

Associate Medical Examiner Service, Northern Division.

Associate medical examiner, 1 at \$833 (\$1,000) per year..... \$94 63

Associate Medical Examiner Service, Southern Division.

Associate medical examiner, 1 at \$833 (\$1,000) per year..... \$94 63

Coun. PARKMAN—Mr. President, in view of the comparatively small amount involved and the few items in this supplementary budget I move that it be referred to the Executive Committee rather than the Committee on Appropriations.

The motion was carried, and the order referred to the Executive Committee.

#### PETITIONS REFERRED.

The following petitions were received and referred to committee named, viz.:

##### Claims.

Robert F. Charles, for compensation for injuries caused by an alleged defect in Cambridge street, Brighton.

Ellen A. Collins, for refund on refuse tickets.

Joseph F. Cosgrove, for compensation for damage to automobile caused by an alleged defect in Mt. Hope street.

Anna W. Delaney, for compensation for injuries caused by an alleged defect at Tremont and West streets.

Egan and MacArthur, for refund on building permit.

Margaret Foley, for compensation for damage to property at 315 Silver street, South Boston, caused by ash trucks.

Ettore Gaberti, for refund on refuse tickets.

Sadie A. Gallagher, for refund on dog license fee.

Olga Geller, for compensation for injuries caused by defect in street at 9 and 11 Elbert street, Roxbury.

Anthony Guardabascio, for compensation for injuries to son, Michael, in yard at Hyde Park High School.

Rebecca Gurta, for compensation for injuries caused by an alleged defect in front of 610 West Park street, Dorchester.

Frederick W. Harris, for compensation for injuries caused by an alleged defect in Harvard avenue.

James Hennessey, for compensation for injuries to son, James, caused by being struck by city truck.

John F. Hurley, for compensation for injuries caused by hot pipes at Dover Street Baths.

Charles Interbartolo, for compensation for injuries caused by an alleged defect in passageway of ferryboat "Ralph Palumbo."

John H. Kilduff, for compensation for injuries caused by an alleged defect at 41 Court street.

Ida Kline, for compensation for damage to automobile by city truck.

Daniel Lundberg, for compensation for damage to automobile by fire apparatus.

Walter J. Lynch, for compensation for damage to automobile caused by an alleged defect at 731 Broadway, South Boston.

James J. McEleney, for compensation for injuries caused by an alleged defect in Lexington street, Charlestown.

Stanley R. Meeken, for compensation for damage to automobile by city truck.

John J. Moran, for compensation for damage to fence by wagon of Public Works Department at Farnum place.

Sarah E. Mullin, for compensation for injuries caused by an alleged defect in sidewalk at Winter street (public alley).

Mrs. Frank Murphy, for compensation for injuries caused by an alleged defect at Green street, Charlestown.

New Jersey Fidelity and Plate Glass Company, for compensation for damage to property by city truck.

Nickerson Company, for company for damage to property at 345 Washington street, caused by defective water main.

John H. O'Neil, for compensation for damage to automobile caused by street cleaning wagon.

Mary E. Raftery, for compensation for injuries caused by an alleged defect at 42 Highland street.

Eli Reinstein, for compensation for damage to truck by sanitary truck.

William J. P. Rohan, for refund on Sunday license.

George Ruby, for compensation for injuries caused by collision with truck of Sanitary Service.

Eugene J. Salemi, for compensation for damage to automobile caused by an alleged defect in Chelsea Bridge.

Owen Sheldon, for compensation for injuries caused by an alleged defect in sidewalk on Charlestown Bridge.

William Standing, for compensation for damage to property at 12 Salem street avenue, Charlestown, caused by a truck of Public Works Department.

Patsey Taranto, for compensation for damage to automobile which was commandeered by police.

Annie Tatelbaum, for compensation for injuries caused by an alleged defect at 744-756 Washington street.

John Tkacik, for refund on refuse tickets.

Oscar J. Tryon, for compensation for damage to automobile caused by an alleged defect at Charles and Beacon streets.

Nathan W. Waldman, for compensation for injuries to horse caused by falling into open manhole at Ruthven street and Humboldt avenue.

Bernard B. Welch, for compensation for damage to automobile by patrol wagon.

Dorothy E. Wyse, for compensation for injuries caused by an alleged defect at 421 Meridian street, East Boston.

E. W. Young, for compensation for damage to automobile caused by an alleged defect at East Canton and Washington streets.

Henry W. Young, for compensation for damage to automobile caused by an alleged defect in River street, Dorchester.

#### PAY ROLL, REGISTRY OF DEEDS.

The payroll of the Registry of Deeds for the period from July 16 to July 31, 1927, inclusive, amounting to \$8,777.14, was received and approved.

#### COLUMBUS PARK FILLING.

The following communication was received from the Finance Commission.

Boston, July 18, 1927.

To the Honorable the Mayor and City Council. Gentlemen,—By report dated September 16, 1924, to the Mayor and City Council of that year, the Finance Commission disclosed the fact that for filling furnished at Columbus Park the J. C. Coleman & Sons Company had been overpaid in an amount over \$200,000. Before the contract was awarded to this company a plan had been made, after survey, showing the levels of the area to be filled. The contract provided that all filling materials furnished, except sand, should be put in place, leveled and rolled. The amount would then be determined by finding the new levels by a survey and calculating the material between the old and the new levels. This was an accurate method of determining the amount delivered. Instead of following the method thus provided by the contract, the Park Commissioners of that year undertook to ascertain the amount of filling by counting the loads delivered, an inaccurate method and



liable to fraud. This method was contrary to the contract provisions. After the Finance Commission had begun to investigate the situation, the Park Commissioners of that year attempted to legalize their over-payments by an amendment to the original contract, made on August 7, by which they attempted to establish a new method of measurement instead of that provided in the contract.

In concluding its report the Finance Commission made the following recommendations: "Action should now be taken by a taxpayers committee in the courts to prevent further waste of the city's money and to have the amendment to this contract made on August 7 declared void. The money paid to the contractor in excess of his performance of the contract should be recovered by the proper authorities."

The recommendations of the commission were followed. The petition was brought and tried under the decision of the Supreme Judicial Court, handed down June 29, 1927, the first two propositions of the commission were established, namely, (1) the further waste of the city's money was prevented by the ordering of an injunction "perpetually enjoining the city of Boston and all officers and agents of the city of Boston from paying directly or indirectly to the defendant, J. C. Coleman & Sons Company, any further sums of money under the contract" . . . (2) the August 7\* amendment to the contract was declared void.

The third proposition of the commission, that the money paid to the contractor in excess of the provisions of the contract should be recovered, now awaits fulfillment. The court held it had no jurisdiction on the ten taxpayers' petition to order repayment and left the recovery for further proceedings.

The amount of the overpayment was estimated by the engineer of the Finance Commission, as shown in the commission's report, his estimates being based on the levels furnished by engineers in the employ of the Park Department of that year. Although furnishing an estimate of the over-payment, the engineer made the following statement: "under the provisions of the contract as originally made a discussion of these theories (relating to the alleged disappearance of filling material) would not be particularly important, as the contractor under that contract assumed responsibility for all losses due to settlement, either of the surface upon which the filling was placed, or of the filling after it was put in place by him." This proposition was entirely sustained by the decision of the Supreme Judicial Court.

At the trial of the petition on facts the master to whom the case was referred saw fit to follow the testimony offered by the contractor and by the city's Law Department, and to believe that some of the filling had settled. Whether he was right or not is of no importance in view of the decision of the court. Nevertheless, on the facts found by him on this evidence put in by the contractor and the city, it appears, as the result of this decision, that there is due the City of Boston for overpayments approximately \$200,000. Furthermore, as the contract has not been completed by the contractor, there may be a claim for damages against him.

The final step remains to be taken and suit should now be brought against the contractor to recover what is due the city by reason of the overpayments and for damages, if the contractor refuses to go on and complete the contract.

In all the proceedings of the petitioners, both before the master and before the Court, their case was opposed not only by counsel for the contractor but by the Law Department of the City of Boston. This opposition was made notwithstanding the fact that the

success of the petitioners would mean a large saving of money for the City of Boston. It is obvious that it would now be embarrassing for the city Law Department to face about and bring suit to recover sums illegally paid to the contractor it had helped to defend. The only course open, therefore, is the appointment by the Law Department of special counsel to handle the new proceedings which should be brought against the contractor.

The thanks of the community are due to Mr. Francis A. Morse and his associates for their courage in bringing the ten taxpayers' petition against the contractor, and to Charles P. Curtis, Jr., Esq., and Richard C. Curtis, Esq., for their public spirit which led them to devote many weeks of preparation and some twenty days of actual trial to these proceedings brought in the interest of the public.

The Commission recommends:

1. That proceedings be instituted immediately to recover from the contractor the full amount of overpayment and damages, if the contractor refuses to complete the work.
2. That special counsel be appointed to handle these proceedings.

Respectfully submitted,  
THE FINANCE COMMISSION,  
by CHARLES L. CARR,  
Chairman.

Placed on file.

### THIRD REPORT ON CITY-OWNED REAL ESTATE.

The following report was received from the Finance Commission:  
Boston, July 20, 1927.

To the Honorable the Mayor and City Council.  
Gentlemen,—The Finance Commission presents its third report on the large amount of real estate owned by the city which is no longer necessary for city purposes. In 1914 the Finance Commission first called the attention of the city government to this matter and as a result \$617,538 worth of real estate was sold and the proceeds turned into the city treasury. On May 26, 1926, the commission again called the city authorities' attention to this matter and as a result five parcels were sold for \$53,999. Thus the commission has been instrumental in turning into the city treasurer \$671,538 and further more has added these properties to the tax lists. There remain, however, forty-three parcels, assessed at \$1,135,755, which could be disposed of. If sold, taxes at the present rate on these parcels would amount to \$36,000 a year. Some of this property is in the expensive down-town section.

#### DOWN-TOWN PROPERTY.

Five of these down-town parcels represent a value of \$220,200. One of them is the site of the old Police Station 2, assessed for \$130,000. It is rapidly falling to decay. An effort was made in 1925 to sell it and an auction sale was held under Edward W. Foye, auctioneer. The property was bid in and a deposit of \$2,000 made, but the purchaser did not complete the sale and the city received only \$80.45 of the \$2,000, the balance being retained by the auctioneer, Mr. Foye, to over his commission, \$1,646, and expenses.

Another valuable down-town parcel is the old abandoned police station at the corner of Battery and Commercial streets, assessed for \$39,800. The windows and doors are boarded up and it is used as a temporary electrical storehouse by the Schoolhouse Department, but such temporary use should not compel the city to keep this expensive property for storehouse purposes.

A third is the lot in the rear of 80 West Cedar street, Beacon Hill, assessed for \$2,400. The property is fenced in, but poorly kept. It is surrounded by high-class residential properties which have the benefit of the open space but pay no taxes for it. It could easily be sold. There have been many offers for it, but for some reason or other it has never

\*Referred to in the Court's decision as Amendment made August 8, the commission using the date when the contract was approved by the Mayor.

been put on the market. It is one of the properties bequeathed to the city by Mr. George Parkman.

Another down-town parcel is the old Baldwin School on Chardon street, adjoining the woodyard of the Public Welfare Department. It is an abandoned school building. At one time it was used by the Schoolhouse Department for storage space, but for the last two years unoccupied. It is in the center of the far down-town district and is assessed for \$33,000.

The Overseers of the Public Welfare control a lot on Cambridge street, containing 1,709 square feet, the total value of which is \$15,000. The City of Boston was left by the will of Lucy Bullman this property for the poor of the city, but with the proviso that the property should never be sold. When Cambridge street was widened the front portion of the property was taken by the city by eminent domain and the remaining part was boarded up and left undeveloped. The Overseers of the Public Welfare have had the income for their trust fund work. The property in its present condition is worthless and an eyesore to the neighborhood. Something should be done to make the property productive. Either an appeal should be made to the courts to determine whether it may be sold, or the property should be improved so as to become income producing. As it adjoins the police station on Joy street it might be of value to the Police Department for enlarging this station. The commission believes that the wiser course would be to sell it, if possible.

#### PARKER HILL HOSPITAL SITE.

Since the abandonment of the chronic hospital plan for Parker Hill, the investment of the city in this location has been unproductive. The city not only took the Elks' Hospital buildings, but also considerable adjoining land and houses. The total assessed value of the holding is \$350,000. The hospital buildings are rapidly deteriorating and it is a question whether they can ever be used. The city maintains two watchmen, however, at a yearly cost of \$3,000. The Robert Breck Brigham Hospital adjoins the city's lot and is desirous of purchasing from the city a portion of the land. The property should be sold at the earliest opportunity.

Other parcels which have been recommended by the Finance Commission for sale (see Finance Commission's Reports, Volume XXII, page 141) are as follows:

MILES STANDISH SCHOOL, KING STREET, CORNER ROXBURY STREET. TOTAL VALUE, \$14,147, AREA, 14,147 SQUARE FEET.

The Miles Standish School lot is now vacant, the school having been demolished. The lot is on a street that has become so noisy that it would not be good policy to use it for school purposes again. The school authorities have no further use for it.

GYMNASIUM, ELMWOOD STREET, TOTAL VALUE, \$2,500.

This building has not been used for gymnasium purposes for twenty years or more. It was used as the wardroom of the district until the Curley administration, when it was turned over to a Spanish War Veteran Post on a lease. Though the original agreement provided that the Post would stand all expense of its maintenance, the city has twice granted allotments of \$2,000 from the Public Buildings general repair fund to provide changes, and now a proposition to spend another \$2,000 is being urged. This building adjoins the rear of Police Station 10.

SAVIN HILL AVENUE LEDGE, TOTAL VALUATION, \$5,400.

The Transit Department took over 43,575 feet of a large ledge, so as to provide for a change in Savin Hill avenue made necessary

by the construction of a station at Savin Hill. The alteration has been completed. The Transit Department still holds the record title, although part of it has been sold to a man named Hamilton, who has moved a house on to the property. Because the deed to this parcel has never been placed on record, the Hamilton parcel has never been taxed and it is still assessed to the City of Boston. Meanwhile, the Transit Department insists that the property is not on the market. With the prospect of opening a tunnel station at this point, the property should become quite valuable.

OLD ARMORY BUILDING, BREMEN STREET, CORNER MAVERICK, \$11,200.

The old Armory Building, within two minutes' walk of the old police station, is an old wooden structure very much out of repair, inside and out.

OLD POLICE STATION No. 7, MERIDIAN AND PARIS STREETS, \$11,500, AND LOT IN REAR ON HAVRE STREET, \$3,100.

The old police station is brick with ample passage space on both sides. A lot in the rear contains 4,204 square feet and is surrounded by valuable manufacturing property. While some use is made of the building itself, no use is made of the land in the rear. The building supplies headquarters for the Lawrence J. Flaherty Post of the American Legion.

VACANT LAND, HYDE PARK AVENUE, \$600; VACANT LAND, PRESCOTT STREET, \$600.

Two parcels of undeveloped land back to back, immediately adjoining the main entrance to the Readville Trotting Park. They were acquired by the city in the taking over of the Eastern Massachusetts Street Railway Company, having been kept by that company for the storage of extra cars needed in the handling of crowds when there was racing at the park. Inasmuch as the park has recently been sold for residential development, and these parcels occupy a commanding location bordering on the railroad yards, it should be easy to dispose of them.

LAND, HARRISON AVENUE, CORNER PLYMPTON STREET, \$9,000.

The building formerly on this land was not used for gymnasium purposes, for which it was built, or for any purpose for a number of years. In 1914 the Finance Commission (see Reports, Volume X, page 106) recommended its sale. The building has been torn down. On the opposite corner of Plympton street is the South Bay Union, a social service house. To the rear and other sides are manufacturing plants.

OLD BROADWAY STATION, WEST BROADWAY, \$10,000.

This building was formerly used as Police Station 6. The lot adjoins the Parkman School. The Mayor and Council voted in 1925 to authorize the sale of this parcel at public auction, but there were no bidders at the upset price named. The rear of the building is partially demolished and the doors and windows are boarded up. It is an eyesore to the main street of this section and should be sold.

BROADWAY AND C STREET, \$24,108.

This property has been examined by representatives of the School Committee, who wish to use it for the purpose of constructing a new building for a storehouse.

MARINE PARKWAY, \$500; MARINE PARKWAY, \$800.

These are small parcels that were included in the original taking for the Strandway improvement, but were never used in the parkway. Nevertheless they are on the parkway and should be attractive for home sites. These



parcels were recommended for sale in 1914 by the Finance Commission, but nothing was ever done with them.

TOOL SHED, PARK DEPARTMENT, 1188 COLUMBIA ROAD, \$10,300.

This large parcel occupies a prominent location on the Strandway at the junction of Old Colony avenue and Preble street. There is a small stucco office building at the corner, and on the back of the lot is a row of sheds. There and the one caretaker stated that it is used in the summer to store a small section of the wooden walks that are used on the Common and Public Garden in winter. From the appearance of its use it would seem to be poor policy for the city to use boulevard land for such purposes. There are many other parcels of city-owned land in the same section which might be used for storing the wooden walks. Private interests have been interested in purchasing the property.

CITY SCALES, EUSTIS STREET, \$1,000.

In 1914 the Finance Commission commented on this property (see Volume X, page 100 of the Finance Commission's reports). The building has steadily deteriorated since that time and is now in a state of dilapidation. It is one of the many eyesores owned by the city. It should be a valuable little parcel for somebody, and inasmuch as the city has no use for it, it should be sold. The doors are boarded up but some old material is stored there.

WHARF, FREEPORT STREET, \$39,500.

This is a large waterfront parcel on Freeport street at the foot of Park street. It was acquired many years ago by the old Street Department, when it was stated that the Street Department needed wharfage in that vicinity. It was never used to any great extent. Some years later by an order of the City Council control of it was transferred to the Park Department. This department has no use for it and intends to make no use of it. The city derives a little income now from it by a lease to a man who operates it as a landing place and for boat storage. It adjoins valuable mercantile property and undoubtedly would find a ready buyer.

NEPONSET PLAYGROUND, EAST SIDE OLD COLONY PARKWAY, \$12,100.

This parcel is part of a large tract originally bought for the Neponset Playground. When the state built the Old Colony Parkway through it the major portion of the tract, 605,686 square feet, was separated by the roadway from this part. Inasmuch as the other furnished all the playground space needed, this part was never developed.

MARSH, KINGS MILL POND, TENBAN CREEK, \$22,000.

This is a large tract on Victory road, just off Neponset avenue, partially filled in. It was turned over to the Park Department some years ago, but the department has no use for it.

PUMPING STATION, METROPOLITAN AVENUE AND WASHINGTON STREET, \$8,800.

This parcel is on a conspicuous corner of two prominent streets in a growing business district. The building is not used and is boarded up. The building appears to be in good condition. The property would probably be bought if placed on the market. The Department of Public Works has no use for it.

VACANT LAND, DOWNER AVENUE, \$3,500.

A lot on very high ground, located on a ledge back of the Hancock Street Yard of the Paving Division. No use is now made of it. It is good residential land and should be sold as the Public Works Department has no use for it.

VACANT LAND, PAUL GORE STREET, \$8,100.

This is a parcel that was originally taken for school purposes, but was never used for that purpose and was eventually turned over to the Park Department. It has been leveled and graded and is now inclosed with a wire fence erected by the Park Department. It is on high land surrounded by good residential property and the department is willing it should be sold.

LAND, CORNER WILLIAMS AND WASHINGTON STREETS, \$1,100.

This parcel was taken for the Stony Brook channel. The building on it is part of a building erected and now used by the abutter. It was recommended for sale in 1914. (See Finance Commission's Reports, Volume X, pages 102, 103.

MT. VERNON STREET, \$6,900.

A parcel of unimproved land at the entrance on the water side of the "Mile Road," which runs out to the Calf Pasture pumping station. It was acquired by the city in an exchange of land with the Boston Consolidated Gas Company, which owns a big tract with tanks on it on the opposite side of Mt. Vernon street. The Public Works Department does not need it; 44,000 feet is marshland and 10,000 feet flat land.

VACANT LAND, MORELAND STREET, CORNER PROSPECT STREET, \$600.

A large parcel of rocky land in the center of a large area of vacant land. It is on the corner of two streets that were never built. The city does not use it now though many years ago gravel was taken from it.

VACANT LAND, SPRAGUE STREET, \$500.

This is a parcel that lies between Nos. 64 and 70 Sprague street, extending back to Sprague Pond. It was acquired when Hyde Park was a town by itself, undoubtedly as an entrance to the pond. It is a poor appearing neighborhood, close to the Dedham line, and can hardly serve any useful purpose for the City of Boston.

VACANT LAND, THATCHER STREET, \$400.

This parcel was acquired by the Public Works Department in years past, in order to obtain gravel from it. This has now been taken off. Some edgestone is stored there. It was recommended for sale by the Finance Commission in 1914 but nothing was ever done with it.

PART OF RESERVOIR AND HOLDER, MILTON AVENUE, \$20,800.

This is a large tract which formerly contained the reservoir of the old Hyde Park Water Company. The total area of the parcel is 206,020 square feet, but only 144,314 square feet are in Boston, the remainder being in Milton. The reservoir itself has been emptied and the buildings on the property dismantled. The Water Service makes no use of it. It is in the best residential section of Hyde Park, the Fairmount section.

VACANT LAND, MANNING STREET, NORTHWEST CORNER OF BERRY STREET, \$500.

This is a parcel on the corner of a street that was never built. It is not far from the entrance to Calvary Cemetery and the rear entrance of Mt. Hope, the city cemetery. It is across the street from the parcel that adjoins the city cemetery and is so situated that the city cemetery will probably never use it. It is the top of a ledge that has been opened from the back side.

VACANT LAND, UNION STREET, BRIGHTON, CORNER CHESTNUT HILL AVENUE, \$16,000.

This is a valuable lot of land on which formerly stood an old school. It was recommended by the Finance Commission for sale in 1914, but nothing was ever done. It is mostly ledge and has been considered by the



school authorities many times for a school site in the past. On account of the expense there would be in preparing it for a sizable school the school authorities have always turned to some other location.

#### BUILDINGS, PAVING DIVISION, CHESTNUT HILL AVENUE, \$85,300.

This is an immense tract, containing a ledge, that was acquired for a Street Department yard. It is used in small part for such purposes now, but the major portion of it is unused. It is adjacent to some of the best residential land in Brighton. On one side is a fine single house section. On the other side is the apartment house section of Commonwealth avenue. It is on high land, five minutes from the reservoir, with ample school accommodations both on the Commonwealth avenue side and the Brighton square side. The Brighton Library and the new courthouse are within two minutes' walk.

#### SQUANTUM, \$30,000.

This parcel was acquired about twenty-five years ago for sewer purposes. It is not used by the city for any purpose. It is situated on a headland projecting into Quincy Bay, on a delightful location, is hilly and now is a fine park much used by picnic parties in the summer. Formerly there were several buildings and a wharf but these have been removed. There are two house boats moored on the shore. The Public Works Department has no use for it and believes it should be sold.

#### RAINSFORD ISLAND, \$145,300.

This was formerly the site of the Suffolk School for Boys. It has not been used for many years, except for a caretaker, whom the Institutions Department keeps there. It is the intention to use it in the summer for the Randridge Fund excursions. The wharf is in poor condition. There are several buildings in good condition, including a power plant.

#### JACOB FOSS SCHOOL, 37 CHESTNUT STREET, CHARLESTOWN, \$25,500.

This is an old wooden building no longer used by the School Department, but leased to the American Legion Post. It is on a prominent street corner, Adams and Chestnut streets, leading up to Monument square. The building occupies the extreme Chestnut street end of the property, leaving three fourths of it in the best part vacant. Considering the value of the parcel either the whole or the largest part of it should be sold.

#### SMITH STREET SCHOOL LOT, ROXBURY, \$4,200.

This lot is now vacant, the old building having been torn down. It is not far from a large school property and is not likely to be needed for school purposes. It should be sold.

#### PARADISE LANE, DEDHAM, \$7,000.

This in one of the two pumping stations connected with the old Hyde Park Water Works that became the property of the City of Boston by the annexation of Hyde Park. It has never been used since it came into the possession of Boston. It is situated in the East Dedham section.

#### OLD CROSS STREET SCHOOL, CHARLESTOWN, \$3,600.

This is an old wooden building that is occupied by the Colonel Fred B. Bogan Camp, Spanish War Veterans. It is located on the corner of Cross and Bartlett streets, about opposite the new Charlestown High School Annex. About one half the lot is occupied by the building. On account of the large number of buildings in Charlestown owned by the city, many of which the quarters for military posts, it would seem that a plan might

be adopted providing quarters for military organizations in one building.

The Commission recommends:

1. That all parcels of land owned by the city that cannot be advantageously used be sold.
2. That some official in the employ of the city be assigned the duty of finding purchases for said parcels.
3. That this report be circulated among persons engaged in buying and selling real estate.

Respectfully submitted,

THE FINANCE COMMISSION,

By CHARLES L. CARR,  
Chairman.

Placed on file.

#### APPROVAL OF APPOINTMENT.

Notice was received of approval by the Commissioners of Civil Service of the appointment of Charles P. Norton to the position of Schoolhouse Commissioner.

Placed on file.

#### CONSTABLE'S BOND.

The constable's bond of Samuel Goldkrand was received and approved.

#### APPOINTMENT OF SECOND ASSISTANT ASSESSOR.

Notice was received from the Board of Assessors of the appointment of Hugh J. Casey, No. 11A Bayard street, Allston, as a second assistant assessor.

Placed on file.

#### APPOINTMENT OF RAILROAD POLICE OFFICER.

Notice was received from the Boston & Albany Railroad of the appointment as railroad police officer of James F. Nagle for the New York Central Railroad Company.

Placed on file.

#### TRACK LOCATIONS IN CHARLESTOWN.

Notice was received from the Board of Street Commissioners of the granting to the Boston Elevated Railway Company of the 61st track location, viz., a left-hand crossover in Alford street, Charlestown, southerly of Arlington avenue, and a double track in Arlington avenue, Charlestown.

Placed on file.

#### TRACK LOCATION, COMMERCIAL AND HANOVER STREETS.

Notice was received from the Board of Street Commissioners of the granting to the Quincy Market Cold Storage and Warehouse Company of the first track location, viz., tracks at grade on 421 Commercial street and 515 Hanover street, Ward 3.

Placed on file.

#### EXTENSION OF TIME ON THIRTY-SEVENTH TRACK LOCATION.

Notice was received from the Board of Street Commissioners of extension of time for completion of the work to be done under the thirty-seventh location granted to the Boston Elevated Railway Company to June 9, 1928.

Placed on file.

#### COMMENDATION OF FIRE DEPARTMENT.

Coun. RUBY offered the following:

Resolved, That the Boston City Council hereby commends the members of the Fire Depart-

ment for the efficient assistance rendered by them in the handling of the immense throng at the reception to Col. Charles A. Lindbergh at the Boston Arena on Friday evening, July 22.

The rule was suspended and the resolution adopted.

#### COMMENDATION OF POLICE DEPARTMENT.

Coun. RUBY offered the following:

Resolved, That the Boston City Council hereby commends the members of the Boston Police Department for the efficient handling of the immense throngs in Boston and at the Boston Arena on Friday, July 22, during the reception to Col. Charles A. Lindbergh.

The rule was suspended and the resolution adopted.

#### NOTICE OF HEARING.

Notice was received from the Street Commissioners of a hearing on Monday, August 1, 1927, on various petitions for licenses to keep and sell gasoline.

Referred to the Executive Committee.

#### SIDEWALK ALONG PARK STREET, WARD 17.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Park street, south side, from Alpha road to 200 feet westerly, Ward 17, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

The rule was suspended and the order passed.

#### INCREASING WIDOWS' ANNUITY.

Coun. WILSON offered the following:

Ordered, That the Legislative Committee of the Boston City Council be, and said committee hereby is, authorized and directed to appear and submit to the Legislature of this Commonwealth at its next session, a petition to amend the existing statutes relating to the City of Boston so as to provide that the annuity which may be paid to the widow or minor children of any policeman or fireman who dies from injuries received in the performance of his duties may be increased to not less than one thousand dollars.

Coun. WILSON—Mr. President, human nature is a peculiar thing, and it is interesting to see how, one day, we are thrilled with pride at the bravery of a police officer going in with his gun and taking a man and losing his life in the act, and then, if, as, and when, we get around to it, we provide an annuity of \$600, and after we have provided the man's wife and family with the "munificent" sum of \$12 a week we then forget all about it. I believe that where a police officer lives to ripe old age he is entitled, as a matter of pension, to more than \$12 a week; and it has occurred to me more than once, and the recent death of Patrolman McInnes brings it more forcibly to mind, that the least we can do for the family of a young police officer who has done his duty and protected our lives and property is to furnish to his family at least \$1,000 a year; and, accordingly, I am asking that the Legislative Committee of this body press for an amendment of the present act, which allows only \$600, or approximately \$12 a week, to

be given by the city to the family of this man in all its "munificence."

The rule was suspended and the order passed.

#### SECOND PUBLIC GOLF COURSE.

Coun. WILSON offered the following:

Ordered, That the sum of two hundred thousand (200,000) dollars be, and the same hereby is, appropriated to be expended under the direction of the Park Commissioners, for the purchase of a tract of easily accessible land of sufficient area for the construction of a second public golf course in the City of Boston, and that to meet said appropriation the City Treasurer be, and he hereby is, authorized to issue from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city for said amount.

Further ordered, That the sum of one hundred thousand (100,000) dollars be and the same hereby is appropriated to be spent under the direction of the Park Commissioners for the construction of an eighteen-hole public golf course in the City of Boston, and that to meet said appropriation the City Treasurer be, and he hereby is, authorized to issue from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city for said amount.

Coun. WILSON—Mr. President, I ask the serious consideration of the Council with reference to this order, introduced at the present time for the purchase of available, accessible land for the construction of a second public golf course in the City of Boston. Some weeks ago, Coun. Gilbody introduced an order in this body for the construction of a second course on one of the islands in the harbor, I believe, and it occurred to me, at that time, and I still believe, that a public golf course should be more accessible. I understand that there is available, at the present time, in the city limits, along some street—I believe it is West street in Hyde Park—immediately adjacent to the Stony Brook Park Reservation, a tract of at least 130 acres of virgin territory, easily accessible, which could be used for this purpose. I believe, from the point of view of accessibility, this tract of land is within 600 feet of the Hazelwood (if I have the name right) station, twenty minutes from Boston on the New York, New Haven & Hartford Railroad, and only one block farther away on the lines of the Boston Elevated Railway. I put this order in at this time because, while I may be incorrect, I believe this is probably one of the few remaining, if not the only remaining, sufficiently large tract of land within the city limits to serve as a public golf course. I understand that cities half the size of Boston at the present time have three or more public golf courses. I believe the city of Chicago has in excess of thirty at the present time. One last remark I would make with reference to a course is that a public golf course is no longer a luxury only. I understand that, where one is erected, no public golf course anywhere in the United States has proved to be a losing proposition. and, if my figures are correct, the only course that the City of Boston has at the present time, located at Franklin Park, cost less than \$12,000 to run last year and took in an income in excess of \$50,000—showing not only the tremendous interest in the course, but that the proposition is a financially sound one, and that a second golf course located in the city will pay for itself inside of fifteen years.

Referred to the Committee on Finance.

#### REPAVING O STREET, WARD 6.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving O street, from East First street to East Sixth street, Ward 6.

The rule was suspended and the order passed.

### SIDEWALK ON AUBURN STREET, WARD 20.

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Auburn street, both sides, Ward 20, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

The rule was suspended and the order passed.

### SEWER IN WOODBRIER ROAD.

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to construct a sewer in Woodbrier road, West Roxbury.

The rule was suspended and the order passed.

### SIDEWALK ON CHICKATAWBUT STREET, WARD 16.

Coun. GILBODY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Chickatawbut street, from Neponset avenue to Glide street, south side, Ward 16, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

The rule was suspended and the order passed.

### NAMING OF HEGENBERGER ROAD.

Coun. MAHONEY offered the following:

Ordered, That the new causeway from Gardner way, Marine Park, to Castle Island, be named Hegenberger road, in honor of Lieut. Albert F. Hegenberger, U. S. A., native son of South Boston, whose flight from San Francisco to Honolulu has won him a place among America's immortals of the air.

The rule was suspended and the order passed.

### HANDBALL COURTS ON BARRY PLAYGROUND.

Coun. GREEN offered the following:

Ordered, That the Park Department be requested, through his Honor the Mayor, to install handball courts on Barry Playground, Ward 2.

The rule was suspended and the order passed.

### RESOLUTION ON DEATH OF COL. WILLIAM A. GASTON.

Coun. GILBODY offered the following:

Resolved, That the City Council of the City of Boston has learned with deep sorrow of the death of Col. William A. Gaston. He gave unstintingly and without thought of reward of his time, energies and fortune to the best interests of the city, state and nation, both in public and private capacities. The fruits of his labors on behalf of this city and the results of his benefactions will long remain as a monument to his career and as an example and inspiration to future generations of the citizens of Boston.

The City Council extends to the family of the late Col. William A. Gaston the sincere sympathy of Boston.

Adopted by a unanimous rising vote.

### FIRST-AID KITS IN BATH HOUSES.

Coun. LYNCH offered the following:

Ordered, That the Park Department be requested, through his Honor the Mayor, to provide each bath house under its jurisdiction with a medical first-aid kit.

The rule was suspended and the order passed.

### PROTECTION OF CHILDREN AT LAMAR- TINE STREET YARD.

Coun. FREELEY offered the following:

Ordered, That his Honor the Mayor be requested to take whatever steps may be necessary to provide for the proper protection of children at the Lamartine street yard of the New York, New Haven & Hartford Railroad.

The rule was suspended and the order passed.

### HYMAN HILLSON PARK.

Coun. ENGLERT offered the following:

Ordered, That the space in the center of Walnut park, Roxbury, be named Hyman Hillson Park, in honor and memory of Hyman Hillson, who gave his life in France to the cause of freedom during the World War, and that said space be suitably marked with signs.

The rule was suspended and the order passed.

### SECOND READING OF VARIOUS LOAN ORDERS.

President HEFFERNAN called up Nos. 9, 10, 11, 12 and 13 on the calendar, viz.:

9. Ordered, That the sum of \$125,000 be and hereby is appropriated to be expended under the direction of the Penal Institutions Commissioner, for Central Power Plant, House of Correction, Deer Island, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On July 11, 1927, the foregoing order was read once and passed, yeas 20, nays 0.

10. Ordered, That under authority of chapter 352 of the Acts of 1924, the sum of \$20,000 be and the same hereby is appropriated to be expended by the trustees of the Boston City Hospital for Medical Pavilion, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount.

On July 11, 1927, the foregoing order was read once and passed, yeas 20, nays 0.

11. Ordered, That under authority of chapter 352 of the Acts of 1924, the sum of \$40,000 be and the same hereby is appropriated to be expended by the trustees of the Boston City Hospital for Medical Pavilion, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount, the same to be issued outside the limit of indebtedness.

On July 11, 1927, the foregoing order was read once and passed, yeas 20, nays 0.

12. Ordered, That under authority of chapter 352 of the Acts of 1924, the sum of \$154,000 be and the same hereby is appropriated to be expended by the trustees of the Boston City Hospital for House Officers' Building, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount.

On July 11, 1927, the foregoing order was read once and passed, yeas 20, nays 0.

13. Ordered, That under authority of chapter 352 of the Acts of 1924, the sum of \$308,000 be and the same hereby is appropriated to be expended by the trustees of the Bos-



ton City Hospital for House Officers' Building, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount, the same to be issued outside the limit of indebtedness.

On July 11, 1927, the foregoing order was read once and passed, yeas 20, nays 0.

Said orders were severally passed, yeas 20, nays 0.

#### CONFIRMATION OF APPOINTMENTS.

President HEFFERNAN called up No. 2 on the calendar, viz.:

2. Action on appointments submitted by the Mayor July 11, 1927, of Frank R. Oxley and Arthur W. Hill, to be Weighers of Coal.

Coun. Dowling and Green were appointed a committee to receive, sort and count ballots. Appointments confirmed, yeas 20.

#### CONFIRMATION OF APPOINTMENT.

President HEFFERNAN called up No. 1 on the calendar, viz.:

1. Action on appointment submitted by the Mayor July 11, 1927, of Frederick O. Houghton to be a Constable (connected with the Animal Rescue League and not authorized to serve civil process).

Coun. Donovan and Guild were appointed a committee to receive, sort and count ballots. Said appointment confirmed, yeas 18.

#### RECESS.

On motion of Coun. BUSH the Council voted, at 2.55 p. m., to take a recess, subject to the call of the Chair. The members re-assembled in the Council Chamber, and were called to order by President HEFFERNAN at 3.55 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY for the Executive Committee submitted the following:

1. Report on message (referred today) vetoing ordinance relating to contracts with the city—that the same be referred to the Committee on Ordinances.

Report accepted; said message referred to Committee on Ordinances.

2. Report on the several orders for departmental transfers of appropriations, referred today—that the same ought to pass.

Report accepted; orders passed, yeas 18.

3. Report on the message and supplementary appropriation order for the County of Suffolk (referred today)—that the same ought to pass, with an amendment striking out the item under House of Correction, D-4, Forage and Animal, \$2,500.

Report accepted; said amendment adopted.

The question came upon the passage of the order as amended.

Coun. PARKMAN—Mr. President, I should like just to say a few words, in order to complete the record of the Committee on Appropriations with respect to the county budget. The budget as originally submitted was cut by the Committee on Appropriations about \$30,000, and it is interesting to see, at this time, that none of the cuts of the committee has resulted in asking for a supplementary appropriation at this time; in fact, the Budget Commissioner informs us that the principal cut, which was in the jurors' item of \$10,000, and another reduction of \$10,000 in fees, services of venires, etc., will show a saving at the end of the year. Most of the items contained in the supplementary budget at the present time are items which arise now as a result of the passage of legislation by the Legislature of 1927, increasing various salaries in

the Department of Medical Examiners and in South Boston Municipal Court, as well as some of the other district courts. It might be said, in regard to two or three of the items, that they would much better have been submitted at the time the original budget was submitted. There is an item in the supplementary budget for alterations in the Superior Court at the courthouse to include additional toilet facilities for which there has been a need for many years. There is also an item here for improving the ventilation in the Roxbury District Court, for which the need has been evident for a very long time. Such items as those would much better come before the committee in the original budget and not wait for a supplementary budget later on in the year. In regard to the amendment which the Council has just adopted, striking out \$2,500 from the food item for animals at the House of Correction, I shall have more to say a little later, at the time when I introduce an order later on this afternoon. At this time I would simply say that it shows that there has been a complete lack of budget control which should confine the expenditures to the items for which they were originally appropriated.

The order, as amended, was passed, yeas 18.

#### REPORT OF COMMITTEE ON PARKMAN FUND.

Coun. GILBODY, for the Committee on Parkman Fund, submitted the following:

1. Report on the message and order (referred June 14) appropriating \$92,000 from the income of the George F. Parkman Fund, to be expended under the direction of the Park Commissioners, for the maintenance and improvement of the Common and parks in existence on January 12, 1887—that the same ought to pass.

Report accepted; said order passed, yeas 18.

#### REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. McGRATH, for the Committee on Public Lands, submitted the following:

1. Report on message and order (referred February 14) authorizing the conveyance to the Forest Hills Cemetery of 6,906 square feet of land on Morton street—that the same ought to pass.

Coun. DOWLING—Mr. President, I should like just a word of explanation from the chairman of the Committee on Public Lands as to this order.

President HEFFERNAN—If there is no objection, the chairman of the committee will explain.

Coun. McGRATH—Mr. President, originally, when they widened Morton street, the city took some ninety odd thousand feet, and it left one little section that left a detour in the road that was rather bad. Now there is an iron fence along there that cost \$19,000 to build and will cost to replace—moving and replacing to be borne by the Forest Hills Cemetery—\$3,500. The attorney who came here said that they wanted it—it met with the approval of the Public Works Commissioner and the various officials of the City of Boston who are interested—they wanted this right which they feel had not been deeded to them under the original exchange they made with the city, but over which there may have been some doubt—they wanted the approval of the City Council so that they could build the fence and replace the old fence along on a straight, even line. In the old days it was a very dangerous corner there. They used to have a white line running through the fence so that motorists would not bump into it. They had so many accidents they straightened it out, and this is simply the jut end piece that is left out of something like approximately 100,000 feet. This 6,900 feet

goes back to the cemetery so that they may build their own fence at a cost of \$3,500 to straighten the road.

Report accepted; said order passed, yeas 18.

#### REPORT OF COMMITTEE ON SOLDIERS' RELIEF.

Coun. ENGLERT, for the Committee on Soldiers' Relief, submitted the following:

1. Report recommending the passage of an order for the payment of aid to soldiers and sailors and their families residing in the City of Boston, or having a settlement therein, for the month of July.

Report accepted; said order passed.

#### PETITION OF BOSTON MOTOR TOURS.

Coun WILSON—Mr. President, two weeks ago, during our meeting, I believe after a rather hectic session, there was some discussion with reference to withdrawing from the Committee on Jitneys the so-called request for license by the Boston Motor Tours, and, at that time, a two-thirds vote of the body took it from the committee and then, as a courtesy to the chairman, tossed it back in his lap. I wonder whether any progress has been made in the two weeks following the extension of that courtesy, and whether or not that report has come in.

President HEFFERNAN.—In the absence of the chairman of the Committee on Jitneys, the Chair is unable to furnish any information for the Council, unless there is some other member of the committee that has some information he would care to give.

Coun. WILSON—Then, Mr. President, I would ask Coun. Dowd, who, I believe, is the member that asked it be taken from the committee, if the committee has been called together in the past two weeks?

Coun. DOWD—Mr. President, I will inform the member that the committee has held no meeting.

Coun. WILSON—Mr. President, then I move that the petition of the Boston Motor Tours be taken from the Committee on Jitneys.

Coun. GUILD—Mr. President, there has been no explanation offered for this motion. It is made baldly and without comment, and it is made in the absence of the chairman of the committee which has it in charge. It seems to me that he should be given an opportunity to be heard, and that there is nothing so pressing in regard to the matter but what can wait until the time when the chairman of the committee to whom it is now referred is present for the purpose of making whatever explanation needs to be made. It borders, it seems to me, upon discourtesy to take it away from his committee, he being absent.

Coun. WILSON—Mr. President, with reference to the remarks of the speaker who has just taken his seat, I make my motion for two reasons. The first is that, while I have no interest in this company, direct or indirect, nor do I know who runs the company, I presume that the automobile company or motor tour company which presented the petition wishes some action at some time, and, if my memory is correct, we are to adjourn for at least a month when we leave here today. The other reason is that several members of the City Council, including myself, after the close of the meeting two weeks ago, were informed by the chairman of the Committee on Jitneys that that order, as well as other orders in which I am interested, would be brought up when he personally got "good and ready"; and, in the light of that information, and in the light of the fact that we are adjourning for one month, and in view of the fact that two weeks have passed since our hectic discussion of July 11, it seems to me that we are entitled to get some action from this committee at the present time.

Coun. GILBODY—Mr. President, I am not going to indulge in any hectic discussion of

this proposition, but I do object to being tossed around like a football in this Council. This company has been up here three times and has had the indulgence and the courtesy of this Council in having the Council pass its petitions three times and having them likewise vetoed three times by his Honor the Mayor. I think it foolish for the body to indulge in any more effort to pass such orders as this. We have the same situation in the Hart matter. We passed three times, I believe, a petition for Mr. Hart, and we got three vetoes. Are we going to be made to appear foolish in these matters by running in here, passing orders, and perhaps after a week or a month having the Mayor veto them? That is the situation. I believe this matter has been vetoed by his Honor the Mayor, and I think it is about time we realized that his Honor the Mayor is not going to sign the petition and not make ourselves foolish in this body.

President HEFFERNAN—Those in favor of recalling the petition from the Committee on Jitneys will raise their hands. Twelve hands raised. Those opposed will raise their hands. Four hands raised. The petition is recalled from the committee, and now being before the Council, what is the pleasure of the Council?

Coun. WILSON—I move that the license be granted.

The question being put, the Chair declared the motion lost. Coun. Wilson doubted the vote and asked for a roll call.

Coun. GUILD—Mr. President, I rise for information.

President HEFFERNAN—Kindly state the question of information.

Coun. GUILD—In taking a matter from a committee, is it not necessary to suspend the rules?

President HEFFERNAN—The Chair will rule that it is, and that there was more than a two-thirds vote in favor, the vote being 12 to 4.

Coun. GUILD—Is the rule two thirds of those present or two thirds of the body?

President HEFFERNAN—The rule is two thirds of those present and voting.

The license was granted.

Yeas—Coun. Bush, Dowd, Englert, Fitzgerald, Green, Lynch, Mahoney, McGrath, McMahon, Ruby, Wilson—11.

Nays—Coun. Arnold, Dowling, Gilbody, Guild, Heffernan, Parkman—6.

Coun. WILSON—Mr. President, I would ask

President HEFFERNAN—For what purpose does the gentleman rise?

Coun. WILSON—To ascertain whether Coun. Keene is available, or Coun. Wragg, both of them having been present?

President HEFFERNAN—The Messenger will kindly notify both councilors.

Coun. DOWLING—Mr. President, I do not like to question the ruling of the Chair, but it seems to me that the rules of the Council do not make it necessary for a member to be in the room here, and I doubt whether a member in the corridor can be summoned here to vote on the matter.

President HEFFERNAN—The Chair will rule that they have not been summoned. They have merely been notified, if they desire to vote. None of the absent councilors having appeared, the vote is eleven in the affirmative and six in the negative, and the license is granted.

#### JITNEY LICENSE TO BOSTON ELEVATED.

Coun. FITZGERALD moved that No. 15 on the calendar be taken from the table, viz:

15. Report of the Committee on Jitney Licenses on the petition of the Boston Elevated Railway Company for a license to operate jitneys between Park square and the North Station, recommending that a license be granted.

The motion was carried and said license was granted.



## BUDGET CONTROL.

Coun. PARKMAN offered the following:

Ordered, That the Budget Commissioner be requested, through his Honor the Mayor, to report to the City Council what progress has been made upon the subject of budget control, with particular reference to the competition in the purchase of supplies between the Budget Department and the Superintendent of Supplies, which was recommended by the Special Committee on Budget Control in its report to the Council on January 17, 1927.

Coun. PARKMAN—Mr. President, I am sorry my writing is not more legible, and the next time I shall have it typewritten. The word "competition" as read in the order, should be "co-operation" so as to read to ask the Budget Commissioner "what progress has been made upon the subject of Budget Control, with particular reference to co-operation in the purchase of supplies between the Budget Department and the Superintendent of Supplies, as recommended by the Special Committee on Budget Control in its report to the Council on January 17, 1927." I only wish to say a few words, reviewing perhaps, to a certain degree, the work of the committee. The committee reported last January in its findings that "(1) Under the present system there is no method for controlling expenditures to the specific items for which the city's money is originally requested in forming the budget, and appropriated in the annual appropriation bill"; and it found, further, "that it is desirable in the interests of economy and efficiency that means be devised to control expenditures to the specific physical items for which appropriation was made, and to limit expenditure for any item to the amount allowed for such item in advance of the expenditure being incurred." The auditor and the Budget Commissioner stated, while the committee was conducting its investigations, that—"Under our present budget system the specific physical units which make up or lie behind the appropriation under any one item are lost sight of immediately upon the passage of the budget by the City Council. . . . It would appear feasible for the Budget Department to co-operate with the Supply Department in regard to the purchases which the latter department makes after receiving requisitions from department heads. At the present time these requisitions constitute the full authority for the conduct of the purchasing activities of the Supply Department. This latter department has very little interest in the appropriation side of the picture, since, naturally, the department assumes that no requisition would be made unless an appropriation was available. It would seem desirable in the interests of efficiency that the Supply Department should consider the appropriation side of the picture, and this consideration could be very easily effected by the Supply Department referring all departmental requisitions to the Budget Department for approval before starting in any way the machinery of purchase." The committee stated at that time, after conference with his Honor the Mayor, that "the Mayor has stated to the committee that he would put the first recommendation in effect at once by means of instructions to the Budget Commissioner and the Superintendent of Supplies," and your committee recommended that no further action be taken at that time but that the operation of the budget be observed in order to see whether any further action was necessary. The purpose of this order is to get information as to whether further action is, in fact, necessary; and, judging from one item in the Suffolk County supplementary budget, certainly some further steps should be taken to control expenditures to the purposes for which the money is appropriated. We have a very flagrant example before us, today, in the item of \$2,500 for food for animals down at the House of Correction. We were informed when the change of masters took place the new master, from some experience that he had had in the state institutions of correction, thought

that a certain kind of animal fodder was far superior to that which has always been used, and is still being used, by other city departments, and made his plans accordingly. That particular type of fodder, unfortunately, is very much more expensive, and we were asked, at this time, to consider that the appropriation, which was originally made and which was sufficient to take care of all necessary supplies purchased on the old plan, is already almost exhausted. There has been no control whatsoever as to the items purchased by that money which we appropriated. The Budget Commissioner has not had referred to him a requisition from the Supply Department; and it seems to me obvious that no progress whatever has, in fact, been made. The purpose of the order is to get information before the Council in official form, so that the Council may consider further what steps can be taken to put the budget principle into some effective form.

The rule was suspended and the order passed.

## REPLACING GAS LAMP ON GROSVENOR PLACE, WARD 12.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to replace the gas lamp now in use on Grosvenor place, Ward 12, with two modern electric street lights.

The rule was suspended and the order passed.

## RECONSIDERATION OF VOTE ON BOSTON MOTOR TOURS PETITION.

Coun. GUILD—Mr. President, I move reconsideration of the vote granting the petition of the Boston Motor Tours and for assignment at the next regular meeting of the Council.

The question being put, the Chair declared the motion carried.

The vote was doubted by Coun. Ruby and Wilson. The Chair called for a rising vote, and, there being five votes in favor and eight against, declared the motion lost.

## SIDEWALK ALONG GLEASON STREET, WARD 14.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 28 Gleason street, Ward 14, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edge-stones, under the provisions of chapter 196 of the Special Acts of 1917.

The rule was suspended and the order passed.

## GENERAL RECONSIDERATION.

On motion of Coun. PARKMAN, general reconsideration of all action taken today was refused.

## ADJOURNMENT.

On motion of Coun. McMAHON it was voted that, when the Council adjourn it would be to meet on Monday, August 22, 1927.

Adjourned, at 4.30 p. m., on motion of Coun. ARNOLD, to meet on Monday, August 22, 1927, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, August 22, 1927.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., Coun. DOWLING in the chair in the absence of President Heffernan. Also absent, Coun. Parkman.

## SYMPATHY TO PRESIDENT HEFFERNAN.

Coun. KEENE offered the following:

Resolved, That the sympathy of the members of the City Council be extended to President Heffernan in his present illness.

Coun. KEENE—Mr. President, I offer the above resolve because, as undoubtedly most of the members know, President Heffernan was operated on yesterday for appendicitis.

The rule was suspended and the order unanimously adopted by a rising vote.

## JURORS DRAWN.

Jurors were drawn in the manner prescribed by law, the Mayor absent, viz.:

Twenty-nine additional traverse jurors. Superior Civil Court, fourth session, July sitting, to appear September 6, 1927:

William H. Baldwin, Ward 1; Robert E. Moffitt, Ward 1; Patrick T. Walsh, Ward 1; Valentine F. Clougherty, Ward 2; Alfred E. Daley, Ward 2; Michael John Duffy, Ward 4; Clifford S. Jones, Ward 5; Elmer L. Burbank, Ward 6; Walter W. Comerford, Ward 6; John J. Foley, Ward 6; Joseph A. Matthews, Ward 6; Warren A. Richmond, Ward 6; Francis M. Sullivan, Ward 6; Edward J. Balfe, Ward 7; Frederick C. R. Poormann, Ward 8; Maurice Obst, Ward 9; John L. Glynn, Ward 10; Charles A. Waterman, Ward 10; John W. Martinson, Ward 11; John J. Donovan, Ward 14; Kenneth J. MacAuley, Ward 14; Louis Averback, Ward 18; Thomas H. Casey, Jr., Ward 19; Harold Roberts, Ward 19; Malcolm L. Munsie, Ward 21; Walter J. Rose, Ward 21; Nicholas Callahan, Ward 22; Thomas J. Kelly, Ward 22; Louis M. Winslow, Ward 22.

## APPOINTMENT OF WEIGHERS.

The following was received:

City of Boston,  
Office of the Mayor, August 18, 1927.  
To the City Council.

Gentlemen,—Subject to the confirmation of your honorable body I hereby appoint the following persons as Weighers of Coal: David R. Smith, 14 Townsend street, Roxbury; Israel Day, 227 Walnut avenue, Roxbury, and Samuel Lurie, 6 Morse street, Dorchester, both with Tremont Coal Company at 1017 Columbus avenue, Boston.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Laid over under the law.

## APPOINTMENT OF CONSTABLES.

The following was received:

City of Boston,  
Office of the Mayor, August 15, 1927.  
To the City Council.

Gentlemen,—Subject to the confirmation of your honorable body I hereby appoint the following named persons as constables for the

City of Boston: John F. Ruggieri, 632 Bennington street, East Boston, Ward 1; John A. Wragg, 62 Shepton street, Ward 16; Amos J. G. Patch, 148 St. Andrew road; John Joseph Bavis, 688½ Second street; William H. Robinson, 569 East Eighth street.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Laid over under the law.

## OTHER APPOINTMENTS.

The following was received:

City of Boston,  
Office of the Mayor, July 26, 1927.  
To the City Council.

Gentlemen,—Subject to the confirmation of your honorable body I hereby appoint the following:

Weighers of Coal: Anna E. Gilligan, 26 Darling street, Roxbury; Eugene Gallagher, 73 Hammond street, Waltham, both with the Brotherhood Coal Company, 1022 Massachusetts avenue.

Weighers of Beef: Ronald H. Ingram, 441 Beacon street, with Fruit Dispatch Company, at Long Wharf; Edward C. McClure, 1648 Massachusetts avenue, Cambridge, with Fruit Dispatch Company, Long Wharf.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Laid over under the law.

## VETO—BOSTON MOTOR TOURS PETITION.

The following was received:

City of Boston,  
Office of the Mayor, August 19, 1927.  
To the City Council.

Gentlemen,—I return herewith, without my approval, the petition of the Boston Motor Tours for a license to operate buses from Boston to Fall River with a terminal at 12 Park square, Boston. Under date of December 8, 1926, and April 13, 1927, I vetoed similar petitions, and it does not seem to me that there has been sufficient change in the situation to sustain a different course of action.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

## VETO—HEGENBERGER ROAD.

The following was received:

City of Boston,  
Office of the Mayor, August 4, 1927.  
To the City Council.

Gentlemen,—For the reason set forth in the accompanying communication from the Park Department, I deem it inadvisable to give your order for the naming of the new causeway from Gardner way, Marine Park, to Castle Island, in honor of Lieut. Albert F. Hegenberger, U. S. A., my approval.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, July 28, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of July 26 with inclosure, order from the City Council, that the new causeway from Gardner way, Marine Park to Castle Island, be named Hegenberger road, in honor of Lieut. Albert F. Hegenberger, U. S. A.

In reply I desire to say that the Board of Park Commissioners do not think it advisable to name any of its parks, roadways, etc., for living heroes. All changes made in the name

of playgrounds, parks, etc., have been for soldiers who paid the supreme sacrifice.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Placed on file.

#### FIRST-AID KIT IN BATH HOUSES.

The following was received:

City of Boston,

Office of the Mayor, August 2, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department, in reply to your order of July 25, 1927, relative to the provision of each bath house with a medical first-aid kit.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, August 1, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of July 28 with inclosure, order from the City Council, that the Park Department be requested, through his Honor the Mayor, to provide each bath house under its jurisdiction with a medical first-aid kit.

In reply I desire to say that I will make provision in the budget for 1928 to supply first-aid kits to all the bath houses where it is necessary. Meanwhile bandages, etc., have been provided at all the bath houses.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Placed on file.

#### MEDFORD STREET ASSESSMENTS.

The following was received:

City of Boston,

Office of the Mayor, August 16, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Assessing Department in reply to your order of June 14, 1927, requesting that the Board of Assessors make a survey of the property on Medford street, Charlestown, from Fay square to Chelsea street, for the purpose of determining how near the present assessments are to the present market value.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Assessing Department, August 13, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—Replying to the order of the City Council, under date of June 14, 1927, requesting the assessors to make a survey of the property on Medford street, Charlestown, from Fay square to Chelsea street, for the purpose of determining how near the present assessments are to the present market values, I beg to report that in the opinion of the Board of Assessors the valuations placed upon the properties along this street represent a full and fair valuation.

Very truly yours,

EDWARD T. KELLY, Chairman.

Placed on file.

#### HANDBALL COURTS ON BARRY PLAYGROUND.

The following was received:

City of Boston,

Office of the Mayor, August 2, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department, in reply to your order of July 25, 1927, relative to the installing of handball courts on Barry Playground, Ward 2.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, August 1, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of July 28 with inclosure, order from the City Council, that the Park Department be requested, through his Honor the Mayor, to install handball courts on Barry Playground, Ward 2.

In reply I regret to inform you that the Park Commissioners do not think it advisable to install handball courts on any of the playgrounds for the reason that they are simply used as sanitariums.

Furthermore, handball is an indoor game and arrangements can be made to play same in any of the gymnasiums.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Placed on file.

#### TRAFFIC POST, SHAWMUT AVENUE AND ROXBURY STREET.

The following was received:

City of Boston,

Office of the Mayor, July 27, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Commissioner, in reply to your order of July 11, 1927, relative to the establishment of a traffic post and assigning a traffic officer for duty at the corner of Shawmut avenue and Roxbury street, Ward 9.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Police Department, July 19, 1927.

To the Superintendent.

Sir,—In reference to the communication received from W. J. Doyle, Assistant City Clerk, relative to an order that the Police Commissioner be requested, through his Honor the Mayor, to establish a traffic post and assign a traffic officer for duty at the corner of Shawmut avenue and Roxbury street, Ward 9.

I respectfully report that I will make a traffic post at Shawmut avenue and Roxbury street, Ward 9, and will assign a traffic officer at 8.15 a. m. on Wednesday, July 20, 1927, to cover that post 8.15 to 10 a. m.; 10 a. m. to 10.30 a. m. on relief; 10.30 a. m. to 11.30 a. m. on post; 11.30 a. m. to 1.15 p. m. dinner and attending roll call; 1.15 p. m. to 3 p. m. on post; 3 p. m. to 3.30 p. m. on relief; and from 3.30 p. m. to 6 p. m. on post.

When vacations are over I will do everything possible to make this an all-day traffic post.

Respectfully submitted,

JAMES LAFFEY, Captain, Division 21.

Placed on file.

#### TRAFFIC POST, SHAWMUT AVENUE AND RUGGLES STREET.

The following was received:

City of Boston,

Office of the Mayor, August 18, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Department, in reply to your order of July 11, 1927, relative to the establishing of a traffic post and assigning a traffic officer at the corner of Shawmut avenue and Ruggles street, Ward 9.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Police Department, August 16, 1927.

To the Superintendent.

Sir,—In reference to the communication received from W. J. Doyle, Assistant City Clerk, relative to establishing a traffic post and assigning a traffic officer at the corner of Shawmut avenue and Ruggles street, Ward 9.

I respectfully report that I will make a traffic post at Shawmut avenue and Ruggles street and at 8.15 a. m. on Monday, August

22, 1927, I will assign a traffic officer to cover that post, making it an a. m. and p. m. post at the present time.

In the near future I hope to be able to make this location a straight all-day post.

Respectfully submitted,

JAMES LAFFEY, Captain, Division 21.

Placed on file.

#### TRANSFER FOR BUILDING DEPARTMENT.

The following was received:

City of Boston,

Office of the Mayor, August 22, 1927.

To the City Council.

Gentlemen,—In the budget of the current year an appropriation of \$10,500 was included under the appropriations for the Building Department to cover the securing and removing of unsafe and dilapidated buildings. I am advised by the Building Commissioner that because of the large amount of work of this nature which it has been necessary for the department to perform in connection with the Dock square and Kneeland street widenings that this appropriation is completely exhausted and that for the balance of the year an additional appropriation of \$5,000 will be necessary. All expenditures under this appropriation are of an emergency nature and are made by the Building Department in order to protect life and property. All expense incurred by the Building Department in this connection is eventually billed to the owner or owners of the property involved. Because of the nature of the expenditure I submit herewith an order providing for the transfer from the Reserve Fund of the amount requested by the Building Commissioner. I respectfully recommend adoption of this order by your honorable body.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Building Department, August 2, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Sir,—Will you be kind enough to allow this department an additional \$5,000 for Item B-39, General Plant, which includes securing and removing unsafe and dilapidated buildings. The amount given us in the budget has been exhausted.

Much of this expenditure was due to unsafe conditions caused by street widenings.

Yours very truly,

LOUIS K. ROURKE,

Building Commissioner.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$5,000, to the appropriation for Building Department, B-39, General Plant, \$5,000.

Referred to the Executive Committee.

#### TRANSFERS FOR ADDITIONAL SALARIES.

The following was received:

City of Boston,

Office of the Mayor, August 22, 1927.

To the City Council.

Gentlemen,—Since the passage of the budget for the current year amendments to the ordinances regulating the salaries of three department officials have been passed by your honorable body. In addition, the Legislature of 1927 passed an act increasing the salary of the secretary of the Licensing Board. In order that the records of the auditor's office may properly reflect these changes in departmental officials' salaries, I submit herewith four orders providing for the transfer of the necessary amounts from the Reserve Fund. I respectfully recommend adoption of these orders by your honorable body.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$301.39, to the appropriation for Budget Department, A-1, Permanent Employees, Commissioner, 1 at \$6,000 (\$6,500) per year, \$301.39.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer:

From the appropriation for Reserve Fund, \$1,125, to the appropriation for Building Department, A-1, Permanent Employees, Commissioner, 1 at \$6,000 (\$7,500) per year, \$1,125.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$704.17, to the appropriation for Supply Department, A-1, Permanent Employees, Superintendent of Supplies, 1 at \$6,000 (\$7,500) per year, \$704.17.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$291.67, to the appropriation for Licensing Board, A-1, Permanent Employees, Secretary, 1 at \$3,000 (\$3,500) per year, \$291.67.

Referred to the Executive Committee.

#### DEPARTMENT TRANSFERS.

The following was received:

City of Boston,

Office of the Mayor, August 22, 1927.

To the City Council.

Gentlemen,—I am in receipt of the accompanying requests for transfers within departmental appropriations and respectfully recommend adoption of the accompanying orders.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Library Department:

From the appropriation for B-39, General Plant, \$40, to the appropriation for D-13, Chemicals and Disinfectants, \$40.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Licensing Board Department:

From the appropriation for A-2, Temporary Employees, \$2.61, to the appropriation for C-9, Office, \$2.61.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Ferry Service:

From the appropriation for A-1, Permanent Employees, Gate-men, 16 at \$5.25-\$5.50 per day, \$100, to the appropriation for A-1, Permanent Employees, Scrubwomen (matrons), 8 at \$18 (\$20) per week, \$100.

From the appropriation for F-7, Pensions and Annuities, \$800, to the appropriation for F-11, Workmen's Compensation, \$800.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Institutions Department, Steamer "George A. Hibbard" and Launch "James J. Minot":

From the appropriation for B-39, General Plant, \$401.36, to the appropriation for E-11, Marine, \$400; B-35, Fees, Service of Venires, etc., \$1.36.



Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Supply Department:

From the appropriation for A-1, Permanent Employees, Clerks and Stenographers, 5 at \$1,500 per year, \$58.04, to the appropriation for A-1, Permanent Employees, Clerk, 1 at \$2,000 (\$2,100) per year, \$58.04.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriation for Park Department:

From the appropriation for A-1, Permanent Employees, Transmittan, 1 at \$1,800 per year, \$701.44, to the appropriation for A-1, Permanent Employees, Physical Instructors, 11 (12) at \$1,900-\$2,000 per year, \$701.44.

From the appropriation for A-1, Permanent Employees, Swimming Instructors, 6 at \$1,800 per year, \$348.72, to the appropriation for Custodians, 6 at \$1,800 (\$1,900) per year, \$348.72.

From the appropriation for A-1, Permanent Employees, Gardeners, Mechanics, etc., 70 at \$5.50-\$6 per day, \$7,500; Gardeners, Mechanics, etc., 57 at \$5-\$5.50 per day, \$1,000; Laborers, Mechanics, etc., 339 at \$5 per day, \$3,000, to the appropriation for A-2, Temporary Employees, \$11,500.

From the appropriation for A-1, Permanent Employees, Laborers, Mechanics, etc., 339 at \$5 per day, \$500, to the appropriation for C-17, General Plant, \$500.

From the appropriation for A-1, Permanent Employees, Laborers, Mechanics, etc., 339 at \$5 per day, \$1,000; C-8, Educational and Recreational, \$500, to the appropriation for D-9, Educational and Recreational, \$1,500.

From the appropriation for A-1, Permanent Employees, Matrons, Plant Cleaners, etc., 130 at \$22 per week, \$7,000, to the appropriation for E-12, Park and Recreational, \$7,000.

From the appropriation for A-1, Permanent Employees, Matrons, Plant Cleaners, etc., 29 at \$3.33-\$3.67 per day, \$2,000, to the appropriation for D-10, Agricultural, \$2,000.

From the appropriation for A-1 Permanent Employees, Matrons, Plant Cleaners, etc., 29 at \$3.33-\$3.67 per day, \$1,000, to the appropriation for E-13, General Plant, \$1,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Institutions Department, Long Island Hospital:

From the appropriation for A-1, Permanent Employees, Nurses, Student, 55 at \$600 per year, \$500, to the appropriation for D-16, General Plant, \$500.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Hospital Department:

From the appropriation for B-28, Expert, \$1,000; B-39, General Plant, \$700, to the appropriation for B-17, Care of Persons, \$1,700.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Sewer Service:

From the appropriation for D-3, Fuel, \$10,000, to the appropriation for B-8, Light, Heat and Power, \$10,000.

From the appropriation for C-16, Live Stock, \$1,000; B-39, General Plant, \$500, to the appropriation for B-14, Motor Vehicles, Repair and Care, \$1,500.

From the appropriation for B-39, General Plant, \$500, to the appropriation for B-42, Repairing Streets, \$500.

From the appropriation for C-17, General Plant, \$350, to the appropriation for C-13, Tools and Instruments, \$350.

From the appropriation for D-16, General Plant, \$5, to the appropriation for D-5, Medical, \$5.

From the appropriation for F-7, Pensions and Annuities, \$600; B-39, General Plant, \$400, to the appropriation for F-11, Workingmen's Compensation, \$1,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Water Service:

From the appropriation for A-1, Permanent Employees, Clerks, 7 (6) at \$2,100 per year, \$700; Laborers, Stablemen, etc., 184 at \$5 per day, \$58.33, to the appropriation for Clerk, 1 at \$2,200 per year, \$758.33.

From the appropriation for A-1, Permanent Employees, Clerks, 3 (2) at \$1,900 per year, \$702.77; Laborers, Stablemen, etc., 184 at \$5 per day, \$58.15, to the appropriation for Clerk, 1 at \$2,000 per year, \$760.92.

From the appropriation for A-1, Permanent Employees, Laborers, Stablemen, etc., 184 at \$5 per day, \$58.33, to the appropriation for Foreman, 1 at \$2,500 (\$2,600) per year, \$58.33.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Treasury Department:

From the appropriation for B-4, Transportation of Persons, \$50, to the appropriation for B-39, General Plant, \$50.

Referred to Executive Committee.

#### PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Angelo Antonelli, for compensation for injuries caused by an alleged defect at 29 North square.

Thomas H. Bean, for compensation for damage to automobile caused by ball thrown from Fenway park.

Frank Blake, for compensation for injuries caused by an alleged defect at 275 Harrison avenue.

Eleanor Brewer, for compensation for injuries caused by an alleged defect in Huntington avenue.

Mary Brith, for compensation for injuries caused by jumping from car of Park Department.

Maria Capone, for compensation for injuries caused by an alleged defect at 190 North street.

Melvin G. Carr, for compensation for damage to automobile caused by an alleged defect in Old Colony road.

A. Cianciolo, for compensation for damage to property at 52 Blackstone street, caused by bursting of water main.

W. F. Clafin & Co., Inc., for compensation for damage to property at 332 Summer street, caused by water from street.

Benjamin Cohen, for compensation for damage to property at 213 Hanover street, caused by defective sewer pipes.

Anna D'Amico, for compensation for injuries caused by an alleged defect at 394 K street, South Boston.

Mrs. Mary J. Fitzgerald, for compensation for damage to property at 67 Allendale avenue, Dorchester, caused by backing up of sewage.

Giovanni Gianelli, for compensation for injuries caused by an alleged defect at 14 and 16 Parmenter street.

Marion Gillis, for compensation for injuries caused by being struck by waste paper cart.

Charles L. Haines, for compensation for damage to automobile by city team.

Georgina Hotchkiss, for compensation for damage to property at 49 Mather street, caused by defective pipes.

Phillip J. Knopf, for compensation for damage to shoes at Franklin Field.

S. W. Kramer, for compensation for damage to property at 270 Cambridge street, caused by leak in water pipe.

Samuel J. Labastie, for compensation for expenses incurred in connecting sewer pipes.

Joe Leone, for compensation for damage to property at 291 D street, South Boston, caused by playground construction at Third and Bolton streets.

Vincenzo Lepore, for compensation for injuries caused by an alleged defect at 19 North square.

Gertrude Levowich and Frances Richmond, for compensation for damage to property at 58 and 60 Northampton street and 875-884 Harrison avenue, caused by defective catch-basins.

Lowe Brothers Company, for refund on refuse tickets.

James Magnotta, for compensation for injuries caused by an alleged defect at 10 Prince street.

Earl R. McLellan, for compensation for damage to automobile by sanitary team.

Louis Olansky, for compensation for damage to property at 157 Roxbury street, caused by city wagon.

Warren Parris *et al.*, for compensation for damage to automobile caused by an alleged defect at Columbus avenue and Eliot street.

Roger Pope, for compensation for injuries caused by an alleged defect in Central square, East Boston.

Iskowag Sarharkian, for compensation for damage to property at 18 Barnes street, Dorchester, caused by water flowing into cellar.

Silverstein & Co., for compensation for damage to merchandise at 1164 Blue Hill avenue, caused by break in water main.

S. C. Stone, for compensation for damage to automobile by city truck.

Edward F. Sullivan, for compensation for damage to property at 65 Allendale avenue, caused by backing up of sewage.

Morris Topol, for refund on sidewalk license.

United Printing Machinery Company, for refund on refuse tickets.

George Woolfel, for compensation for injuries caused by an alleged defect at 23 Station street, Roxbury.

Youlden, Smith & Hopkins, for compensation for damage to truck by city truck.

Luke Barlas, for compensation for damage to property at 5 Harvard avenue, Allston, caused by fire apparatus.

Boston & Albany Railroad, for compensation for damage to freight house by city truck.

Boston Drug & Chemical Company, Inc., for compensation for damage to property on Elmwood street, caused by blocked sewer drains.

B. Ciampa, for compensation for collapse of boiler at 31 North Bennet street, caused by water being shut off.

John P. Connolly, for compensation for injuries caused by an alleged defect in Stuart street.

Luigi Dell'Orfano, for compensation for damage to property at 104 Paris street, caused by defective drains.

Olga Doyle, for compensation for injuries caused by an alleged defect at I street and Broadway, South Boston.

Angelina Emanuele *et al.*, for compensation for injuries received on ferryboat.

John F. Fuller, for compensation for damage to property at 30 Brookford street, Dorchester, caused by overflow of sewage.

Gilchrist & Co., for compensation for damage to truck by fire apparatus.

Edward A. Gorman, for compensation for damage to automobile caused by an alleged defect in Beverly street.

Margaret Healy, for compensation for damage to property at 28 Brookford street, caused by overflow of sewage.

U. T. Hungerford Brass and Copper Company, for compensation for damage to automobile by city cart.

Thomas H. Joyce, for compensation for damage to property at 40 Yeoman street, Roxbury, caused by backing up of sewage.

N. Kadish, for compensation for damage to property at 38 Blackstone street, caused by broken water main.

Myles Kane, for compensation for injuries caused by an alleged defect in Northern avenue.

Jacob Kaplan, for compensation for damage to horse and wagon caused by city truck.

Estate of Richard A. Killian, for compensation for damage to property at 10 Fenwick street, West Roxbury, caused by blocking of catch-basin.

Mike Kurawski, for compensation for injuries caused by an alleged defect at 112 Commercial street.

William Levinson, for compensation for claim caused by defect in highway, traffic post on Chelsea street, Charlestown.

Fred Mainiero, for compensation for damage to clothing caused by defect in Gove Street Bridge.

William M. McGovern, for compensation for damage to automobile by city truck.

B. P. McGranahan, for compensation for damage to property at 43 1/2 North street, caused by broken water main.

Mrs. F. H. McMillan, for compensation for injuries caused by an alleged defect in Boylston street.

Henry E. Meyer, for compensation for damage to automobile caused by an alleged defect in New England road.

Jennie Morgan, for compensation for injuries caused by an alleged defect at 83 Easton street, Allston.

John R. Morris, for compensation for damage to automobile by city team.

Frances Nichols, for compensation for injuries caused by an alleged defect at 369 Warren street.

Mary E. O'Neil, for compensation for injuries caused by being bitten by a monkey at Franklin Park.

Ignatius A. Prisco, for compensation for damage to property at 52 North street, caused by burst in water main.

Nathan Rabinowich, for compensation for damage to automobile by city truck.

J. C. Robinson, for compensation for damage to property at 9 Braddock park, caused by defective sewerage system.

Benjamin H. Robrish, for compensation for injuries caused by an alleged defect in Massachusetts avenue.

Richard H. Runnalls, for compensation for injuries caused by an alleged defect at 280 Commercial street.

Joseph N. Salemi, for compensation for damage to property at 35 Laconia street, caused by defective main pipe.

Louis Sklarsky, for refund on unexpired license for sale of merchandise on street.

Bay State Stable, for compensation for damage to horse and wagon by city truck.

State Beef Company, Inc., for compensation for damage to property at 38 Blackstone street, caused by broken water main.

Barnard Stein, for compensation for damage to truck by city team.

Rachel Tradd, for compensation for injuries caused by an alleged defect at 149 Tyler street.

John P. White, for compensation for damage to property at 33 Brookford street, Dorchester, caused by overflow of sewage.

Whiting Milk Companies, for compensation for damage to wagon by city truck.

#### PETITIONS FOR JITNEY LICENSES.

The following petitions were received and referred to the Committee on Jitney Licenses, viz.:

Petition of Medway and Dedham Bus Lines, Inc., to operate two motor vehicles from the Dedham-Boston line at Spring street to Park square.

Petition of the Boston Elevated Railway Company for a bus route between Granite Bridge Station, Neponset, and the new Fields Corner Station.

Petition of the Boston Elevated Railway Company for a change of route for bus operation between Park square and North Station.

Petition of Boston Motor Tours, Inc., to operate four buses between Fall River and Forest Hills Elevated Station.

#### TRACK LOCATION IN GENEVA AVENUE, DORCHESTER.

Notice was received from the Board of Street Commissioners of the granting to the Boston Elevated Railway Company of the 62d track location, a double track in Geneva avenue, Dorchester, from and connecting with existing double track near Vinson street and leading to premises on the northerly side of Geneva avenue at Greeley street, acquired by the City of Boston for the extension of rapid transit facilities in the Dorchester district.

Placed on file.

#### APPOINTMENTS TO CITY PLANNING BOARD.

Notice was received of the appointment by the Mayor of Lillian C. Slattery, to take the place of Mary A. Barr, whose term expired April 30, 1926, and of Sydney S. Conrad, to take the place of John J. Walsh, whose term expired April 30, 1927, as members of the City Planning Board.

Placed on file.

#### PETITIONS FOR STORAGE OF GASOLENE.

Notices were received from the Board of Street Commissioners of hearings on petitions for the storage and sale of gasoline on August 29 and 30 and September 6, 1927.

Referred to the Executive Committee.

#### APPROVAL OF CONSTABLES' BONDS.

The constables' bonds of William A. Collupy, Albert J. Homsy and Daniel G. Finnerty were received and approved.

#### PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds for the period from August 1 to August 13, 1927, inclusive, amounting to \$4,135.67, was received and approved.

#### APPROVAL OF LICENSES.

Applications for licenses to twenty newsboys and sixteen vendors were received and approved.

#### HEALTH UNIT IN ROXBURY.

Coun. WARD offered the following:

Ordered, That the Trustees of the George Robert White Fund be requested, through his Honor the Mayor, to make a survey and study of the property owned by the Salvation Army on Vernon street, Roxbury, with a view to its acquisition by the city as a site for a Health Unit in Roxbury.

The rule was suspended and the order passed.

#### SHUTTING OFF WATER.

Coun. WARD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to discontinue the practise of shutting off water because of nonpayment of water bills, as these bills are now a lien upon real estate.

The rule was suspended and the order passed.

#### EXPENSES OF RECEPTION TO AVIATORS.

Coun. LYNCH offered the following:

Ordered, That the Director of Public Celebrations be requested, through his Honor the Mayor, to submit to the City Council a detailed account of the expense incurred incident to the celebration in honor of the aviators.

Coun. LYNCH—Mr. President, I move that the Director of Public Celebrations be sent for and to bring all facts and figures concerning the recent celebration.

Chairman DOWLING—The Chair suggests to Coun. Lynch that that motion be made in the Executive Committee.

Coun. LYNCH—I thought that we might have him here at that time.

Chairman DOWLING—The order will be referred to the Executive Committee, and the Director of Public Celebrations will be asked to appear there. Is that satisfactory?

Coun. LYNCH—That is all right.

Referred to the Executive Committee.

#### TRAFFIC OFFICER AT BRIGHAM CIRCLE, WARD 10.

Coun. FREELEY offered the following:

Ordered, That the Commissioner of Police be requested, through his Honor the Mayor, to assign a traffic officer to permanent duty at the junction of Huntington avenue, Tremont street, Calumet street, and Francis street, Ward 10, known as Brigham circle.

The rule was suspended and the order passed.

#### REPAVING SCHOOL STREET, WARD 11.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving School street, Ward 11.

The rule was suspended and the order passed.

#### SIDEWALK ON WASHINGTON STREET, WARD 17.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Washington street from No. 755 to Armandine street, Ward 17, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

The rule was suspended and the order passed.

#### COMPLETION OF MORTON STREET IMPROVEMENT.

Coun. WILSON offered the following:

Ordered, That the sum of \$75,000 be and the same hereby is appropriated to be expended by the Board of Street Commissioners for the completion of the widening and construction of the so-called Morton Street Improvement, between Codman and Druid streets, Dorchester, and that to meet such appropriation the City Treasurer be and he hereby is authorized and directed to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the City of Boston in said amount.

Coun. WILSON—Mr. President, the traffic artery known as the Morton Street Improvement was authorized by act of the Legislature as long ago as 1925, since which time the City of Boston has been pecking at this particular job. The so-called first section, starting at Canterbury street, has been constructed at a



cost of \$227,000, and another section, between Druid street and Washington street, in Ward 17, has been taken care of by our order of May 11, at a cost of \$110,000, but there is an intervening part between Codman and Druid streets which must be constructed to complete the through artery. I understand there is less than \$20,000 of the money available for completion of this thoroughfare, so that the Board of Street Commissioners estimate it will cost \$75,000 to complete it. We are, if the papers are correct, being asked today to transfer an additional \$1,000,000 for damage awards in our widening of the downtown city streets. Considering the price quoted for the Revere House site on Chambers street for purposes of a new fire station, I was finally becoming of the impression that the street widenings downtown had most substantially increased the values of most of the property; but, apparently, it has done a great deal of damage, and it must be regretted that the real estate experts of the City of Boston were a million dollars off in their estimates. But, be that as it may, if the City of Boston can dig down and find \$1,000,000 more for the settlement of some doubtful law cases, they should be able to find available \$75,000 necessary to complete actual construction work on a through highway such as Morton street which has been hanging fire now for over two years.

The order was referred to the Executive Committee.

#### SHRUBBERY ON THE ROOF OF SHAWMUT BRANCH EXTENSION.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be and he hereby is respectfully requested to consult with the Transit Commission and the Park Commissioner and to advise the City Council forthwith the approximate cost of providing suitable shade trees and shrubbery immediately adjacent to and along the line of the top or roof of the new Shawmut Branch Extension rapid transit line from Park street to Peabody square, Dorchester, and of providing suitable park benches and sand boxes for children at appropriate intervals along the said available areaway.

Coun. WILSON—Mr. President, as long ago as last November, when I urged upon the Transit Commissioner of the City of Boston such construction of the roof of the new Dorchester Tunnel for a length of three-quarters of a mile as would allow the driving of traffic along the roof of the tunnel from Park Street into Peabody square, in the eyes of the Transit Commission that, apparently, was an amusing suggestion, although it met with the approval of competent engineers. As a matter of fact, that tunnel is now taking form, and from day to day it becomes more perfectly obvious what a mistake it has been not to utilize the top of the so-called three-quarter mile stretch, long as it is, 30 feet wide, and smooth, for some practical purpose. As a matter of fact, Ward 17 so far has no playground. I assume that, when we take our turn and receive an appropriation which will insure a playground out there, the playground, in common with most of the playgrounds of the city, will probably be used more for ball games than for any other purpose. Accordingly, it is not inappropriate that this three-quarter mile stretch of smooth surface might be utilized by the Park Department for the mothers and smaller children in the district. There appears to be no reason why this long stretch of three-quarters of a mile through the center of the district should be shut in by 8-foot wire fence, with barbed wire, like a government reservation, which is being done at this time, and there is no particular reason why it should not be made use of for something beside the collection of dry leaves and newspapers, particularly since the Transit Commissioner has prevented any vehicular traffic along the entire length of the roadway.

Coun. GUILD—Mr. Chairman, will the gentleman who has just preceded me submit to a question in regard to his objections at the present time? Do I understand that he now abandons his project of having the roof of the Dorchester Tunnel made into a highway, entirely?

Coun. WILSON—Mr. President, I am always ready and willing to answer the polite inquiries of the gentleman from Jamaica Plain, having always nearest his heart the welfare and benefits of the Dorchester district; and I would say that I have not abandoned the idea of using the roof of the subway as a traffic artery; but, unfortunately, I am not the Transit Commissioner of the City of Boston, and, due to the fact that the Transit Commissioner has made up his mind and the Mayor's mind that they will not accept the idea, I have automatically been forced to abandon the idea.

The rule was suspended and the order passed.

#### OPERATION OF SHAWMUT BRANCH.

Coun. WILSON offered the following:

Ordered, That the Transit Commission, through his Honor the Mayor, be requested forthwith to advise the City Council,

1. The estimated date when rapid transit service will commence to Fields Corner on the newly constructed Shawmut Branch of the tunnel;

(2) Whether it is a fact that the proposed rapid transit service will not be extended to include passengers at the Shawmut Station until late in 1928; and

(3) Whether, even before completion of the rapid transit system to Ashmont and the construction of the Ashmont Station, arrangements are to be made for switchovers or other track arrangements insuring at least limited rapid transit service as far as Shawmut Station pending completion of the end of the line.

Coun. WILSON—Mr. Chairman, to enlighten further the councilor from Jamaica Plain as to traffic conditions in the Dorchester district, I would say that, last November, when I urged upon the Transit Commission the utilization of this three-quarter mile stretch of tunnel roof as a means of vehicular traffic, I was told that any change in plans would seriously impede the work, and that what the people of the Dorchester, Ashmont, and Peabody square districts wanted was less discussion and more rapid transit system. If I am correctly informed, I now understand that, although the Transit Commissioner, last November, stated that the contracts along the entire stretch of work were being let out approximately simultaneously, only the other day they have let out the contract for the end of the tunnel in the Ashmont district, and the report further comes through that, although there will be rapid transit to Fields Corner perhaps at the close of the current year, so far as the Ashmont and Peabody square districts are concerned, there will be no rapid transit for at least another whole year. It would seem that every effort should be made, either by crossovers or track switches, to insure rapid transit at least to the point of the Shawmut Station before completion of the end of the line. We are disappointed to hear that the matter was not conducted in a business-like way; that the entire contract for the tunnel was not let from start to finish; and at this late stage of the game, despite the impression given us last November, they are just starting to let the contract for the Peabody square end of the tunnel.

The rule was suspended and the order passed.

#### LAYING OUT FAIRVIEW STREET.

##### WARD 16.

Coun. GILBODY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Fairview street, Ward 16.

The rule was suspended and the order passed.

#### VAN WINKLE STREET PASSAGEWAY.

Coun. GILBODY offered the following:  
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to construct a passageway for vehicular and foot traffic from Van Winkle street, Dorchester, beneath the tracks of the Dorchester Rapid Transit Extension, now building.

Coun. GILBODY—Mr. Chairman, a word of explanation to the President and members of the Council. Van Winkle street is the proposed terminus of the electrical branch at Peabody square, and there is now a great section of people in this part of the great Dorchester district without access over to Dorchester avenue and no provisions for getting into the business section there without unnecessary trouble of about a mile or more, and the purpose of this order is to see if it is not possible to make a vehicular and foot passageway through this particular street while the construction is going on of the new electrification of the Ashmont branch. It also would serve, in my opinion, as a way to relieve part of the travel in that section of Dorchester, because Van Winkle street directly connects into Minot street and then into Granite avenue and other streets going to the South Shore, and I am going to ask for a suspension of the rule and the passage of the order.

The rule was suspended and the order passed.

#### REPORTS OF COMMITTEE ON FINANCE.

Coun. GREEN, for the Committee on Finance, submitted the following:

1. Report on the message and order for a loan of \$650,000 for the construction of a new fire station, West End district—that the same ought not to pass, without prejudice.  
Report accepted; said order rejected.

2. Report on the message and order for a loan of \$250,000 to be expended by the trustees of the Public Library for the Central Library Building, fireproofing, improvements, etc.—that the same ought not to pass, without prejudice.  
Report accepted; said order rejected.

3. Report on the message and order for a loan of \$50,000 to be expended under the direction of the Park Department for the improvement of Tenean Beach, Dorchester—that the same ought to pass.

Coun. GUILD—Mr. Chairman, I rise for information. I should like to be informed whether a meeting of the Committee on Finance was held at which these recommendations were made.

Chairman DOWLING—The Chairman of the Committee may be able to answer.

Coun. GREEN—Mr. Chairman, for the information of the gentleman from Jamaica Plain, I have been knocked out for three or four days, and I was unable to be present at the meeting of the committee myself, but I think that, possibly, Coun. Keene or Coun. Lynch or some other member of the committee might be able to give him that information.

Coun. GUILD—Mr. Chairman, my reason for requesting the information is that I had no notice whatever of any meeting of the committee to be held although I am a member of the committee.

Coun. KEENE—Mr. Chairman, I would say that a meeting of the Committee was held at 12.45, and I presume Mr. Baldwin, Clerk of the Committee, sent out the notices. I received mine in the mail. I might say, for the information of the councilor from Jamaica Plain and for the committee, that inasmuch as the 60-day limitation would expire on September 11, and it seemed to be the sense of the Council that they would like to adjourn until the Monday following Labor Day, the action of the Committee on the Mayor's orders

was "ought not to pass, without prejudice," and I had intended, at the request or with the understanding of the Committee, to reintroduce the orders. In discussing these orders, particularly those relating to the fire house and the library, with his Honor the Mayor, he stated that he did not want the 60-day law to run against these orders, and that he wanted them decided upon their merits. They are important matters, and they should be either rejected or accepted by the Council, and as soon as the report of the committee has been accepted or rejected, I intend to reintroduce the orders.

Report accepted; said order read once and passed, yeas 20.

4. Report on the message and order appropriating the sum of \$300,000 for a public golf course—that the same ought to pass.

Report accepted; said order read once and passed, yeas 16, nays, Coun. Dowling, Guild, McGrath, Ruby, 4.

#### LOAN FOR WEST END FIRE STATION SITE.

Coun. KEENE offered the following:

Ordered, That the sum of three hundred thousand dollars be and hereby is appropriated to be expended under the direction of the Fire Commissioner for the purchase of a site for a new fire station in the West End district, and that to meet said appropriation the City Treasurer be authorized to issue from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to Committee on Finance.

#### LOAN FOR CONSTRUCTION OF WEST END FIRE STATION.

Coun. KEENE offered the following:

Ordered, That the sum of \$350,000 be and hereby is appropriated to be expended under the direction of the Fire Commissioner for the construction of a new fire station in the West End district, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bond or certificates of indebtedness of the city for said amount.

Referred to Committee on Finance.

#### LOAN FOR LIBRARY IMPROVEMENTS.

Coun. KEENE offered the following:

Ordered, That the sum of \$250,000 be and the same is hereby appropriated to be expended by the Trustees of the Public Library for the Central Library Building, fireproofing, improvements, etc., and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city for said amount.

Referred to the Committee on Finance.

#### REPORT OF COMMITTEE ON CLAIMS.

Coun. GUILD—Mr. Chairman, on behalf of the Committee on Claims, I desire to file an ad interim report, viz:

In response to inquiries from many members of the City Council as to the status of claims made by their constituents against the city, it has seemed advisable to submit at this time a report of the work of the Committee on Claims, up to the present time. Figures quoted below are compiled from the records of the Committee.

These figures show the total claims handled during the current year to date is only 114 less than the total handled during the whole calendar year 1926, and the rate at which claims have been disposed of remains about the same.

|                                                            |     |       |
|------------------------------------------------------------|-----|-------|
| Claims pending since January 1, 1927.....                  | 979 |       |
| Claims pending January 1, 1927, since approved.....        | 76  |       |
| Claims pending January 1, 1927, since disapproved.....     | 139 |       |
| Claims pending January 1, 1927, since disposed of.....     | 215 | 215   |
| Claims pending January 1, 1927, still pending.....         |     | 764   |
| Claims filed since January 1, 1927.....                    |     | 634   |
| Claims filed since January 1, 1927, since approved.....    | 45  |       |
| Claims filed since January 1, 1927, since disapproved..... | 157 |       |
| Claims filed since January 1, 1927, since disposed of..... | 202 | 202   |
| Claims filed since January 1, 1927, still pending.....     |     | 432   |
|                                                            |     | 432   |
| Total claims pending.....                                  |     | 1,196 |
| Total claims disposed of.....                              |     | 417   |
| Total claims handled to August 1, 1927.....                |     | 1,613 |

The report was accepted.

#### REPORT OF COMMITTEE ON JITNEYS.

Coun. WARD, for the Committee on Jitneys, submitted the following:

1. Report on petition of Boston Elevated Railway Company, referred July 11, 1927, to operate motor vehicles from Lenox street car house via Tremont street and Shawmut avenue—that the license be granted.

The question came on acceptance of the report of the Committee.

Coun. WILSON—May I ask what ward that is in, Mr. Chairman?

Coun. WARD—Ward 9.

Chairman DOWLING—Lenox street.

Coun. WILSON—I don't know much about it.

Coun. McGRATH—Mr. Chairman, it occurs to me that that is a very congested district. I don't know whose ward it is, but, with the number of children that are around in that section there, it seems to me we should have some explanation as to why the Boston Elevated should be allowed to run through those streets.

Coun. WARD—Mr. Chairman, since the gentleman knows so little about the district, I will inform him that the district is not a congested district; there are no children running around there, and, while there is plenty of automobile traffic there, I do not believe there are any children, and the Committee on Jitneys met, we went over the entire matter, and the committee decided to grant it, and I believe that there was a quorum present. There were Coun. Dowd, Gilbody and myself, and we went over the entire matter. The district comes into Coun. Arnold's district and into mine, and touches on to Coun. Fitzgerald's district.

Report accepted; said license granted.

#### WIDENING RUTHERFORD AVENUE.

Coun. GREEN offered the following:

Ordered, That the City Planning Board and the Board of Street Commissioners be requested, through his Honor the Mayor, to consider the advisability of widening Rutherford avenue, Charlestown, to a width of 100 feet.

The rule was suspended and the order passed.

#### REPORT ON REPAVING F STREET, SOUTH BOSTON.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to report to the City Council relative to the order introduced on June 27, 1927, providing for the repaving of F street, South Boston, from First to Fourth streets.

The rule was suspended and the order passed.

#### REPORT ON REPAVING WEST THIRD STREET.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to report to the City Council relative to the progress made in the repaving of West Third street, South Boston.

The rule was suspended and the order passed.

#### WIDENING WELD STREET, WEST ROXBURY.

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to submit to the City Council an estimate of the cost of widening and resurfacing Weld street, West Roxbury.

The rule was suspended and the order passed.

#### LAYING OUT OF SCOTTFIELD ROAD.

Coun. DOWLING offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Scottfield road, Ward 21, as a public highway.

The rule was suspended and the order passed.

#### EXPENSE OF ENGROSSING RESOLUTION.

Coun. GILBODY offered the following:

Ordered, That the expense incurred by the City Clerk for the engrossing of the resolution adopted by the City Council on the death of Colonel William A. Gaston be charged to the Reserve Fund.

The rule was suspended and the order passed.

#### COMPENSATION OF POLICE OFFICERS.

Coun. MAHONEY offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to make arrangements to compensate police officers for their meals during the present emergency.

The rule was suspended and the order passed.

#### SANITARY CONDITION AT CARSON BEACH.

Coun. LYNCH offered the following:

Ordered, That the Health Commissioner be requested, through his Honor the Mayor, to investigate sanitary conditions at Carson Beach and to report to the City Council the result of such investigation.

The rule was suspended and the order passed.



## CURBING ON POND STREET, WARD 7.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to have a curbing laid on Pond street, Ward 7, adjoining the property at 755 Columbia road.

The rule was suspended and the order passed.

## REPLACING WALK AT PUBLIC LANDING.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to replace the present gravel walk at the Public Landing, City Point, with a granolithic walk.

The rule was suspended and the order passed.

SIDEWALK ON HUTCHINGS STREET,  
WARD 12.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Hutchings street at southeast corner of Harold street, Ward 12, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

The rule was suspended and the order passed.

SIDEWALK ON HAROLD STREET,  
WARD 12.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Harold street, from Walnut avenue to Seaver street, Ward 12, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

The rule was suspended and the order passed.

SIDEWALK AT 15 MAYFAIR STREET,  
WARD 12.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Mayfair street at No. 15, Ward 12, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

The rule was suspended and the order passed.

SIDEWALK ON LINCOLN STREET,  
WARD 18.

Coun. WRAGG offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Lincoln street, both sides, between Central avenue and River street, Ward 18, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

The rule was suspended and the order passed.

SIDEWALK ON THATCHER STREET,  
WARD 18.

Coun. WRAGG offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Thatcher street, from Hyde Park avenue to Metropolitan avenue, Ward 18, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

The rule was suspended and the order passed.

SIDEWALK ON JEROME STREET,  
WARD 13.

Coun. McGRATH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Jerome street at No. 8, Ward 13, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

The rule was suspended and the order passed.

SIDEWALK ON COLUMBIA ROAD,  
WARD 7.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Columbia road, from Uphams Corner to Edward Everett square, both sides, Ward 7, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

The rule was suspended and the order passed.

SIDEWALK ON WHITING STREET,  
WARD 12.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Whiting street at No. 41 and Moreland street at No. 61, Ward 12, in front of the estates bordering thereon; said sidewalks to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

The rule was suspended and the order passed.

SIDEWALK ON HOMES AVENUE,  
WARD 15.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Homes avenue, at No. 26, Ward 15, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

The rule was suspended and the order passed.

SIDEWALK ON TREMONT STREET,  
WARD 4.

Coun. ARNOLD offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Tremont street,

from Lenox street to Camden street, both sides, Ward 4, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

The rule was suspended and the order passed.

#### SIDEWALK ON DILLINGHAM STREET, WARD 13.

Coun. McGRATH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Dillingham street, east side, from Savin Hill avenue to the end, about 600 feet, Ward 13, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of crushed stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

The rule was suspended and the order passed.

#### REPORT OF COMMITTEE ON SOLDIERS' RELIEF.

Coun. ENGLERT, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of August, 1927.

Report accepted; said order passed.

#### JITNEY LICENSE, OAKLAND STREET.

Coun. WRAGG called up No. 11 on the calendar, viz.:

Report of the Committee on jitney Licenses on the petition of the Boston Elevated Railway Company for a license to operate jitneys between Mattapan Station and the junction of Hyde Park avenue and Ashland street, recommending that a license be granted.

Coun. WRAGG—Mr. Chairman, I was the cause of this item being held on the table because of the fact that some of the citizens in my district were opposed to the tearing up of the car tracks. Since then that objection has been removed, and I would move that this order be approved and we grant the license.

Report accepted; said license granted.

#### APPROPRIATION FOR DORCHESTER COURTHOUSE.

Coun. DOWLING called up No. 9 on the calendar, viz.:

Ordered, That under the authority of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer from the appropriation for Faneuil Hall Building, \$353.88, to the appropriation for Courthouse, Dorchester. On July 25, 1927, the foregoing order was read once and passed, yeas 18, nays 0.

Said order passed, yeas 18, nays 0.

#### CONVEYANCE TO FOREST HILLS CEMETERY.

Coun. DOWLING called up No. 10 on the calendar, viz.:

10. Whereas, The Board of Street Commissioners of the City of Boston by a resolve and order approved by the Mayor of said City of Boston October 13, 1925, relocated Morton street between Canterbury street and near Morton road; and

Whereas, By said taking the said Board took for street purposes 90,490 square feet of land belonging to the Forest Hills Cemetery; and

Whereas, 6,906 square feet of land of what was part of old Morton street was outside of the limits of the new street as relocated by said resolve and order;

Now, Therefore, be it Ordered, That the Mayor of said City of Boston be authorized and he hereby is authorized in the name and behalf of said City of Boston to convey for a nominal consideration to the said Forest Hills Cemetery by an instrument in writing satisfactory in form to the Law Department of said City of Boston all the right, title and interest which the said City of Boston has in and to the said 6,906 square feet, reserving to the said City of Boston the right to retain the ownership of the water pipe now located in said 6,906 square feet, and reserving also to the said City of Boston the right to go upon the said 6,906 square feet at any and all times for the purpose of maintaining, using, repairing and reconstructing the said main or building any other main within the said 6,906 square feet, and the said conveyance is to be made upon condition that the said Forest Hills Cemetery at the same time of the conveyance to it by the said City of Boston of the said 6,906 square feet shall convey to the said City of Boston by a street deed in form satisfactory to the Law Department of the said City of Boston, the said 90,490 square feet of land and shall upon the payment of the sum of \$19,000 dismiss the suit now pending against the City of Boston for damages on account of the taking of said easement by the resolve and order aforesaid and shall release the said City of Boston from all claims for damages by reason of or in any way growing out of said taking.

Referred to Committee on Public Lands.

On July 25, 1927, the foregoing order was read once and passed, yeas 18, nays 0.

Said order passed, yeas 19, nays 0.

#### RECESS.

On motion of Coun. RUBY the Council voted, at 2.55 p. m., to take a recess, subject to the call of the Chair. The members re-assembled in the Council Chamber, and were called to order by Chairman DOWLING at 3.55 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following:

1. Report on the several messages and transfer orders, referred today—that the same ought to pass.

Report accepted; said orders severally passed, yeas 19, nays 0.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Coun. GILBODY called up No. 2 on the calendar, viz.:

Action on appointment submitted by the Mayor, July 25, 1927, of John Sualich to be a Constable.

The Chair appointed Coun. Fitzgerald and Keene a committee. Said appointment confirmed, yeas 16.

Coun. DOWLING called up No. 1 on the calendar, viz.:

Action on appointments submitted by the Mayor, July 25, 1927, of J. J. Rabinovitz and Thomas F. Riley, to be Weighers of Coal; Kenneth F. George, to be a Weigher of Coal and a Measurer of Wood and Bark; and Samuel Guber, to be a Weigher of Goods.

The Chair appointed Coun. Freeley and McGrath a committee to receive ballots; said appointments confirmed, yeas 14.

#### ELECTRIC LIGHT RATES.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be and he hereby is respectfully requested, after making any necessary inquiries of the Edison Electric Illuminating Company, the Public

Utilities Commission, and the Board of Gas and Electric Light Commissioners, to advise the City Council:

(1) What proportionate amount of the charge of \$93.42 per lamp per year made by the Edison Light Company to the City of Boston is for (a) the lamp and equipment, (b) maintenance, (c) electric current.

(2) The separate items which are included in the total annual price of the \$93.42 per lamp together with the estimated separate cost of each of said items per lamp per year.

(3) The actual present additional cost to the Edison Light Company of installing one additional electric light pole and lamp, ready to light, on Massachusetts avenue, in the City of Boston.

(4) The actual initial present expense to the Edison Light Company of installing one additional electric light pole and equipment on Talbot avenue, Dorchester, connected with the present electric light system and ready to light.

(5) Why it is not just as feasible and practicable for the City of Boston itself to purchase outright and own each separate electric light pole above ground as it is for the City of Boston to purchase and own each gas pole above ground.

(6) Why it is not just as feasible and practicable for the City of Boston to purchase outright and own each additional electric light pole, completely installed above ground and ready to light, as it is for the individual house owner of the City of Boston to install in his privately owned dwelling house all electric light equipment ready for metered use of electric light current of the Edison Light Company.

Coun. WILSON—Mr. Chairman, on May 9 I introduced an order in this body in an endeavor to ascertain why it would not be just as practical and economical for the City of Boston to own electric light poles on our city streets as it is for the city to own all gas poles, and incidentally save what in effect is an annual pole rental which in the course of years would seem to pay for the pole and equipment several times over. The answers of the Edison Light Company to fourteen specific questions were received at our last meeting, after an interval of over two months. I would ask if any fair-minded person could possibly consider the answers other than evasive. Obviously one most pertinent inquiry was as to the cost of one of these new lamps and a post ready to light. I tried to be very fair in my questions; I think that I was fair.

I asked this question:

"What proportionate amount of the charge of \$93.42 per lamp per year made by the Edison Light Company to the City of Boston is for (a) the lamp and equipment, (b) maintenance, (c) electric current?"

This was the answer:

"\$93.42 per lamp per year for 3,828 hours burning (the price charged for magnetite arc lamps and 1,500 candle power incandescent lamps) is a rate originally filed by the Board of Gas and Electric Light Commissioners (sitting as arbitrators under the provisions of a ten-year contract between the city and the company, approved December 7, 1914, as modified by an agreement between the city and the company in the spring of 1925, whereby the company waived a claim for additional compensation under the last five years of the 1914 contract and the city agreed that the above mentioned price was fair).

We do not know whether or not the Board of Gas and Electric Light Commissioners determined the proportionate portions of the charge which were applicable to the lamp and equipment, to maintenance and to the cost of electric current. I assume the Board of Gas and Electric Light Commissioners didn't toss a coin to determine such an important thing as a fair and reasonable electric light rate for the City of Boston, and certain consideration must have been given to such cost elements as lamp and equipment, maintenance, and electric current. But whether or not the Board made a real investigation it stands to

reason that a business organization such as the Edison Light Company knows the cost of the new pole. But to be perfectly fair and square I asked these questions:

"The actual present additional cost to the Edison Light Company of installing one additional electric light pole and lamp, ready to light, on Massachusetts avenue, in the City of Boston."

"The actual initial present expense to the Edison Light Company of installing one additional electric light pole and equipment on Talbot avenue, Dorchester, connected with the present electric light system and ready to light."

This was the answer:

"The new money required to pay the cost of installing a new lamp and post 'ready to light' depends not only upon the cost of the post and the lamp and the cost of installation, but also upon the length of new wire and conduit which must be installed to reach the lamp, whether or not the installation of the new lamp requires the construction of new circuits or the rearrangements of old circuits from the substation, and also whether new street lighting converting apparatus is required at the substation. Unless the question is made more specific, it cannot be answered."

I defy any representative of the Edison Light Company to ask the question in a much more specific manner. What is the nigger in this particular woodpile? Possibly it may be very well for all concerned that the city should rent annually, rather than buy outright, the 6,000 electric light poles now on our city streets, but why the great mystery about the cost of one new single electric light pole. Is there any harm in disclosing the information requested? When I asked the cost of one new pole on Massachusetts avenue and on Talbot avenue I purposely chose highways on which such poles had recently been installed, so that the information should be readily available. I feel that both the Commissioner of Public Works and the Mayor of the City of Boston should co-operate in every possible way in the ascertainment of the requested information. I personally do not mean to quibble, but I do think the City Council is entitled to receive fair answers to fair questions. If the city can save thousands of dollars annually on its electric light bill we are entitled to know it. If, as a practical matter, nothing can be saved, we are entitled to set our minds at rest on that point. To that end I ask suspension of the rule and passage of the order which has just been read.

The rule was suspended and the order passed.

#### REPAVING FRONT STREET, WARD 2.

Coun. GREEN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Front street, from Warren Bridge to the Prison Point Bridge, Ward 2.

The rule was suspended and the order passed.

#### GENERAL RECONSIDERATION.

On motion of Coun. McMAHON, general reconsideration of all action taken today was refused.

#### ADJOURNMENT.

On motion of Coun. FITZGERALD, it was voted that when the Council adjourn it would be to meet on Monday, September 12, 1927.

Adjourned, at 4.05 p. m., on motion of Coun. MAHONEY, to meet on Monday, September 12, 1927.





# City of Boston

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PROCEEDINGS

OF THE

**CITY COUNCIL,**

FRIDAY, AUGUST 26, 1927,

ON THE DEATH OF

**JOHN J. HEFFERNAN,**

President of the City Council, 1927,

THURSDAY, AUGUST 25, 1927.



# DEATH OF JOHN J. HEFFERNAN,

## President of the City Council, 1927.

### PROCEEDINGS OF CITY COUNCIL.

Friday, August 26, 1927.

Special meeting of the City Council, held in the Council Chamber, City Hall, at one o'clock p. m., Coun. DOWLING in the chair. Absent, Coun. Arnold, Fitzgerald, McMahon, Parkman and Wilson.

The meeting was held pursuant to the following call:

City of Boston,

Office of the Mayor, August 25, 1927.

To the Members of the City Council.

Gentlemen,—You are hereby requested to assemble in the City Council Chamber, City Hall, on Friday, August 26, 1927, at 1 o'clock p. m., to take action on the death of President of the City Council, John J. Heffernan.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

### PROCEEDINGS ON THE DEATH OF PRESIDENT JOHN J. HEFFERNAN.

The following was received:

City of Boston,

Office of the Mayor, August 25, 1927.

To the Members of the City Council.

Gentlemen,—It is my sad duty to inform you of the death of President John J. Heffernan of the City Council. President Heffernan was a most earnest student of the varied problems that related to the welfare of the City of Boston and gave the strongest indorsement to all questions touching the best interests of all our people.

He was a young man of splendid acumen, most exemplary character and of conspicuous devotion to public service.

He early gave evidence of a fine career as a member of the Boston Bar. He was one of those young men who triumphed over all obstacles, a student of law after his regular day's work as an accountant had been completed. He was strong and self-reliant and of absolute trust in every public and private duty. I found him both an excellent counselor and a devoted friend. He was a most devoted husband, father and son.

Upon occasions when I have been absent from the city, President Heffernan served as Acting Mayor with fine dignity, excellent expression of the city's interest and with magnetic and personal charm.

As a mark of further respect, I have this day ordered all flags upon municipal buildings, parks and playgrounds to be lowered to half-staff.

I extend my profound assurance of sympathy and condolence to Mrs. Heffernan and the family of the late President of the City Council.

"They are not dead who live in hearts they leave behind."

Sincerely yours,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

Coun. WRAGG offered the following:

Whereas, It has been the will of the Creator to remove from this world our fellow-member and President John J. Heffernan.

Resolved, That the City Council of Boston, in special session assembled, by this resolution recog-

nizes the loss that the city and its people have sustained in the passing away of a public servant of the highest character and integrity, whose official career both in the Legislature and the City Council was marked by an unselfish devotion to the best interests of his native city and state.

Resolved, That the City Council extends its sincere sympathy to the family of our late member in their affliction.

Adopted by a unanimous rising vote.

Chairman DOWLING—Members of the City Council: The saddest public duty that you gentlemen and I may ever be called upon to face, confronts us this afternoon, as we assemble in special session to take action on the passing of one of our members who not only won, but deserved, the high regard, respect and confidence in which he was held throughout this great city. The unexpected passing of our President, John J. Heffernan, at an early hour yesterday—following an illness of only a few days—comes to each of us as a shock from which we will not easily recover. While we bow in reverent respect to the wisdom of our Creator, who is responsible for this rapid transition, and whose mysterious ways we sometimes find it hard to understand, we know that His ways are right and that some good purpose is being served by the separation imposed upon us. We cannot help but feel, however,—and I believe that I express the honest and sincere sentiment of every member of this Council—that we have met with an irreparable loss, one that not only fills us with sorrow for the moment, but one that will remain with us for a long time. The realization of our own sorrow makes it possible for us to understand the measure of grief that fills the hearts of the surviving members of two families in the Brighton district. Two homes are darkened today by this bereavement that has come upon us, and to those homes we send our expressions of love and sympathy. And with these expressions we also send our earnest prayer that the faith that has sustained them all through these years will be sufficient to enable them to bear up under this seemingly overwhelming burden of sorrow and grief. President Heffernan was more than a colleague of mine. He was my warm personal friend for a number of years, and I knew him so well, and so intimately, that I find it difficult to express my real feelings on this occasion. I know something of his boyhood life, and I am intimately familiar with a large part of his mature life. I also know something of his social and family life, and in all of these connections he was honest, kind, sincere and generous. His immediate family consisted of his wife, who was Miss Christine O'Neil, daughter of Mr. and Mrs. Thomas O'Neil of Brookline, and a small daughter, Anne Theresa Heffernan, now nine months old. In a home not far from where President Heffernan lived, there are others with whom we bear a share of the sorrow that comes on an occasion of this kind. In that home are two aged parents, two brothers and two sisters, burdened with grief, but sustained by a faith that passeth all understanding. To these two homes we extend our deepest and most heartfelt sympathy, for in the association that has brought us together in this Council Chamber for the past two years, we have come to realize and appreciate the splendid character and the charming personality that were the outstanding characteristics of our deceased colleague. President Heffernan was a product of the Brighton district, where he spent all of the thirty-four years of his life. He was also a product of the public schools of this city, first



attending the William Wirt Warren School, and later graduating from the Thomas Gardner Grammar School in 1907. He passed through four years at the Brighton High School, graduating in 1911, and immediately began the study of law at the Suffolk Law School, from which he was graduated with honors. Upon the completion of his law studies, he opened offices on State street, and he had since continued in the practice of his profession. I am told, and I believe, that he was held in the same regard in his profession that we have held him in here, so that his passing at this time, just as he was about to enter upon the threshold of greater activities, is a distinct loss to the Massachusetts Bar. President Heffernan began to take a real and genuine interest in civic affairs at an early age, and for four years he represented the Brighton district in the Massachusetts Legislature. His record in the House of Representatives is one of which anyone might be proud. He was recognized as a clear thinker and an able debater, and his associates there, as in this body, were not long in learning that he was a man of ideals and lofty purposes. His election as President of this Council was a tribute to his manliness, his uniform fairness and his upstanding character, and I am sure that there will be no dissension when I say that as a colleague, and as our presiding officer, he has fulfilled every expectation. As an indication of his wider interests, I merely mention the fact that he was a member of Brighton Council 121, Knights of Columbus, Bishop Cheverus Assembly, Massachusetts Catholic Order of Foresters, Ancient Order of Hibernians, Royal Arcanum, Brighton Catholic Institute and Boston Lodge of Elks.

Coun. KEENE—Mr. President, *pro tempore*, my brothers of the City Council: We are assembled to pay tribute to the memory of the President of this City Council, a man of finest attributes, remarkable strength of purpose and kindness of spirit. He labored with us for the welfare and the happiness of all the citizens of Boston, the city of his birth, where he gave conspicuous devotion to every public service that came within his province as a councilor. We pay tribute this day to a man who lived life's best estate and who truly leaves the world brighter and better because he lived within it. No man struggling within the shadow of adversity ever appealed to John Heffernan and made that appeal in vain. Our brother gave a round and well-filled measure from the cup of human helpfulness to every man who came within the embrace of his friendship. John Heffernan lived true to his faith in both God and man, and with every task which confronted him, conscientiously fulfilled, lays down the burden and is at rest. In such a tranquil life, with the pathway of duty ever as its guide, we may well say:

"O death where is thy sting?  
O grave where is thy victory?"

Let us, my brothers, upon this day remember once again the divine precept of the Saviour of Nazareth, honored for over nineteen centuries of time, that death is "but that sleep of evening that briefly awaits the dawn of the eternal morning," and is not the end of human actuality. Within that gateway of the beloved and honored dead, let us ever realize that love and remembrance are eternal. President Heffernan was a splendid citizen, his life was ever of the strictest rectitude in every public and private act. His untiring devotion and service to his friends bound men to him as if by strands of steel. His mind and heart, ever generous to a fault, knew no thought of guile. He labored for every righteous cause within the district in which he resided with singular devotion, and won the love and respect of all who came within the circle of his friendship. At his death he was serving loyally in a movement to erect a church over 3,500 miles away, in Curteen, Ireland, County Galway, to stand to the memory of Ireland's martyred priest, the Reverend Father Griffin, where men might worship in the faith of their fathers. He was a husband, father and son of the highest probity, character and honor. For all who came within his friendship he had an ever kind word and if need be a generous act. His service in amending and liberalizing the Working-

men's Compensation and Mothers' Aid acts in the Massachusetts Legislature was an unselfish service of the highest character. I realize that any tribute to our departed brother remains unfinished which fails to mention his love and devotion for the religious faith of his fathers. Its history was his constant study, its exemplars his admired and chosen companions, its advancement and welfare was his daily labor and its promise was his only hope. To his devoted wife, within the shadow of life's greatest sorrow, and to the venerable father and mother in the evening of life, we extend our heartfelt sorrow and sympathy in these sad hours. President Heffernan was one of those men who rose above every obstacle within his pathway; with strength and unswerving purpose he came to be an honored member of the Boston bar and gave evidence of a brilliant career in the severest and greatest of all professions. A tribute of one of the world's greatest poets and philosophers it seems is singularly appropriate to our brother, whose gallant soul has passed beyond the stars:

"I know not where His islands lift,  
Their fronded palms in air,  
I only know he ever lives  
Within His love and care."

Nearly eighty years ago, along the rough and rock-bound coast of New Hampshire, with the cadence of the rising and receding tides of the restless sea as the only requiem, John Greenleaf Whittier, the poet immortal of Massachusetts, stood beside the open grave of a friend, and slowly repeated a loving tribute to his memory. It seems peculiarly fitting to the memory of President Heffernan upon this sad day. Whittier said:

With silence only as their benediction,  
God's angels come,  
Where in the shadow of a great affliction,  
Our souls lie dumb.

Yet would I say what thine own heart approveth:  
Our Father's will,  
Calling to Him the dear one that He loveth.  
Is mercy still.

Not upon thee or thine the solemn angel  
Hath evil wrought;  
His funeral anthem is a grand evangel,  
The good die not.

God calls our loved ones,  
But we lose not wholly what He hath given;  
They live on earth, in thought and deed,  
As truly as in His heaven.

I lean my heart unto thee, sadly folding  
Thy hand in mine;  
With e'en the weakness of my soul upholding  
The strength of thine.

And on thy ears my words of weak condoling  
Must vainly fall;  
The funeral bell which in my heart is tolling  
Sounds over all.

And He is with thee, in thy path of trial  
He walketh yet;  
Still with the baptism of thy self denial  
His locks are wet.

Up then, my brothers!  
Lo, the fields of harvest, lie rare in view,  
He lives and loves thee, and the God thou servest  
To both is true.

Thrust in thy sickle, O my toil-worn brothers,  
Thy call abide;  
And he thou mournest, a pure and holy presence,  
Shall live beside.

The question came on the adoption of the resolution. Adopted by a unanimous rising vote.

Coun. McGRATH offered the following:  
Resolved, that the members of the City Council attend in a body the funeral of President John J. Heffernan as a mark of respect and a public

demonstration of the regard in which he was held by his fellow members of the Council.  
Adopted by a unanimous vote.

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Coun. RUBY offered the following:

Ordered, that the City Clerk be directed to have a copy of the resolutions adopted this day on the death of President Heffernan engrossed and forwarded to his family; the expense to be charged to the Reserve Fund.

The rule was suspended and the order passed.

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Coun. GILBODY offered the following:

Ordered, that there be allowed and paid to

the widow of John J. Heffernan, late member of the City Council, the remainder of the compensation provided for his term of office as such member.

The rule was suspended and the order passed.

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#### ADJOURNMENT.

Chairman DOWLING—The purpose for which the meeting was called having been accomplished, the Council stands adjourned.

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Adjourned at 1.30 p. m.

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## CITY OF BOSTON.

## Proceedings of City Council.

Monday, September 12, 1927.

Regular meeting of the City Council held in the Council Chamber, City Hall at 2 p. m., Coun. DOWLING senior member, presiding by reason of the death of President Heffernan.

## JURORS DRAWN.

Jurors were drawn in the manner prescribed by law, the Mayor absent, viz.:

Twenty-one traverse jurors, Superior Civil Court, First Session, October Sitting, to appear October 3, 1927:

Charles T. Ireland, Ward 1; Joseph F. MacDonald, Ward 2; John J. McLaughlin, Ward 2; James Ralls, Ward 2; T. James Fitzpatrick, Ward 3; Melvin R. Thompson, Ward 3; Michael J. Costello, Ward 5; Francis A. Smith, Ward 6; Thomas S. Curran, Ward 7; Wallace D. Gillis, Ward 8; William J. Huebner, Ward 9; Leo J. McDonald, Ward 9; William W. Fox, Ward 11; Albert A. Goode, Ward 11; Aldis B. Martin, Ward 12; James J. Rochford, Ward 12; Hyman L. Sherer, Ward 14; Edward W. Baird, Ward 18; Alden W. Drinkwater, Ward 18; Albert Fruh, Ward 18; James A. Cotter, Ward 20.

Twenty traverse jurors, Superior Civil Court, Second Session, October Sitting, to appear October 3, 1927:

James P. Connolly, Ward 2; John J. Nolan, Ward 2; John J. Keohane, Ward 6; John D. Maliff, Ward 6; James J. Murphy, Ward 8; Daniel F. Fallon, Ward 9; Arthur J. Robinson, Ward 9; Peter Rincker, Ward 11; James C. Ross, Ward 11; John E. Hines, Ward 12; Francis F. Vogel, Ward 12; James F. Gleeson, Ward 14; John A. Donovan, Ward 16; Thomas Cassidy, Ward 17; Austin P. Freeley, Ward 17; Peter Stengel, Ward 17; William Sheritt, Ward 18; Walter E. Morse, Ward 20; George R. Wein, Ward 20; Charles R. Forshner, Ward 22.

Twenty-four traverse jurors, Superior Civil Court, Third Session, October Sitting, to appear October 3, 1927:

John J. Corrigan, Ward 1; Walter E. Dalton, Ward 1; Timothy J. Sheehan, Ward 3; Dana J. Walton, Ward 4; John J. Murray, Ward 5; George J. Putnam, Ward 5; James P. Aylward, Ward 6; John A. Cray, Ward 6; William Murphy, Ward 7; William H. Welsh, Ward 10; Charles T. Hagan, Ward 11; Frank E. McMurrough, Ward 11; William F. Barry, Ward 14; Harry Heinstein, Ward 14; Harry Williams, Ward 14; George C. Griffin, Ward 16; Joseph D. Keating, Ward 16; Winthrop A. Hallett, Ward 17; Henry N. Cummings, Ward 20; Roy E. McKeen, Ward 20; Abe Oppenheim, Ward 21; Edward L. Cauley, Ward 22; Dennis A. Driscoll, Ward 22; George H. Soles, Ward 22.

Twenty-six traverse jurors, Superior Civil Court, Fourth Session, October sitting, to appear October 3, 1927:

Gardner H. Nickerson, Ward 1; Charles A. Brophy, Ward 3; George M. Allen, Ward 5; Albert N. Blake, Ward 5; Charles G. Loring, Ward 5; James J. Hayes, Ward 6; Peter F. Hughes, Ward 7; John T. McAlarney, Ward 7; Michael M. McCarthy, Ward 7; Joseph E. Brothers, Ward 8; James H. Burke, Ward 8; Augustino Giglio, Ward 8; James J. Pender, Ward 9; Henry J. Haney, Ward 10; William H. Mumbler, Ward 11; Joseph C. O'Hara, Ward 13; Maurice M. Barron, Ward 14; Edmund B. Coghlan, Ward 15; Leonard R. Nelle, Ward 15; John W. Carson, Ward 17; Hartley A. Hurlbert, Ward 18; Carl J. Christensen, Ward 20; Emanuel Roos, Ward 2; Michael D. McCarthy, Ward 22; Charles F. Popp, Ward 22; William T. Williams, Ward 22.

Twenty-five traverse jurors, Superior Civil Court, Fifth Session, October Sitting, to appear October 3, 1927:

Francis H. McDermott, Ward 1; Thomas J. Ahern, Ward 2; Morris Biller, Ward 3; Christopher McCaffrey, Ward 3; John F. O'Dowd, Ward 3; William Ashton, Ward 7; Mack H. Lutts, Ward 8; John G. Swanson, Ward 8; Charles A. Ceppi, Ward 13; Michael V. Desmond, Ward 13; James W. O'Donnell, Ward 13; T. Edward Sheehan, Ward 13; Jacob Cuterman, Ward 14; Maurice J. Wiseman, Ward 14; Daniel A. McCarthy, Ward 15; James F. Flaherty, Ward 17; Newton E. Jones, Ward 17; William P. Wingfield, Ward 17; Archibald Kellogg Osden, Ward 19; Louis James Bell, Ward 20; James H. Littleton, Ward 20; William W. Paterson, Ward 20; George Stewart, Ward 20; Oscar F. Schada, Ward 21; William E. Weston, Ward 21.

Twenty-six traverse jurors, Superior Civil Court, Sixth Session, October Sitting, to appear October 3, 1927:

Thomas F. Cauley, Ward 2; John J. Walsh, Ward 2; Albert E. Sampson, Ward 3; Arthur A. Shaffer, Ward 3; Michael J. Croke, Ward 4; Edward McKenzie, Ward 4; Carl A. Thayer, Ward 4; George E. Titus, Ward 4; Henry H. Rockwell, Ward 5; Eugene F. Lally, Ward 6; John J. O'Connor, Ward 9; Thomas Dowling, Ward 10; Francis E. McKenna, Ward 10; Heibert Bennett, Ward 12; Joseph Cohen, Ward 12; George A. Coolen, Ward 13; Patrick Ashe, Ward 15; Henry W. Erickson, Ward 16; Guy R. Coner, Ward 17; Samuel T. Lynch, Ward 17; Arthur T. Benson, Ward 17; Adolph Foerster, Ward 20; Jacob N. Fossan, Ward 20; Benjamin C. Davis, Ward 21; Edward J. Hughes, Ward 21; John J. Winters, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Seventh Session, October Sitting, to appear October 3, 1927:

Martin McNally, Ward 2; Daniel J. Sullivan, Ward 2; Patrick J. Sullivan, Ward 2; Roby D. Betts, Ward 3; Charles C. Carter, Ward 3; Robert J. McCourt, Ward 3; Charles L. Hathaway, Ward 4; Robert E. Maddock, Ward 5; John M. Diekmeyer, Ward 6; Edward F. Lee, Ward 7; Leo C. Pistorino, Ward 7; Patrick W. Hennessy, Ward 13; Daniel Levin, Ward 14; Charles C. Roncoe, Ward 14; Louis Weissman, Ward 14; Albert L. Dinsmore, Ward 15; James F. Cummings, Ward 16; William H. Jordan, Ward 16; William Tower, Ward 16; George G. Brown, Ward 18; George M. Clarke, Ward 18; John W. Bjorklund, Ward 19; Hugo G. Gumprecht, Ward 19; Harry G. Foden, Ward 20; Chester A. Gardner, Ward 20; Paul A. Lockwood, Ward 20; Fred C. Harlow, Ward 21; David J. Leahy, Ward 21.

Forty traverse jurors, Superior Criminal Court, First Session, to appear October 3, 1927:

John H. Barry, Ward 1; Joseph A. Francis, Ward 1; Cornelius T. Lynch, Ward 1; Melvin E. Saunier, Ward 1; Thomas W. Porter, Ward 2; George E. Larkin, Ward 4; Arnold E. Anderson, Ward 5; Robert H. Bradford, Ward 5; Frederick H. Briggs, Ward 5; John E. Caulkins, Ward 5; Laurence Ilfeld, Ward 5; Gilbert H. McWilliams, Ward 6; Frank R. O'Brien, Ward 6; James Robinson, Ward 6; Michael J. Kenney, Ward 7; John H. Mullen, Jr., Ward 8; Henry E. Orpen, Ward 8; George W. Foshey, Jr., Ward 9; Bernard P. Cooney, Ward 10; Edward F. Dowd, Ward 10; John McLaughlin, Ward 10; Alton P. MacKay, Ward 12; John J. Happnie, Ward 15; Harold T. Freethy, Ward 16; Howard D. MacKenzie, Ward 16; Hyman E. Smith, Ward 16; Walter K. Collins, Ward 17; Edward E. Whidden, Ward 17; William H. Matterson, Ward 18; Benjamin F. Cobleigh, Ward 20; John Erlandsen, Ward 20; Alexander D. Morgan, Jr., Ward 20; Henry D. Povall, Ward 20; Samuel E. Powell, Ward 20; Nathaniel I. Goodman, Ward 21; John G. Grady, Ward 21; Charles D. Kidder, Ward 21; William H. L. Troope, Ward 21; Will S. Fuller, Ward 22; Frank S. Niver, Ward 22.

Eleven traverse jurors, Superior Criminal Court, Second Session, to appear October 3, 1927:

Paul F. Bentley, Ward 4; Thomas M. Drews, Ward 7; William J. Lane, Ward 7; John J. O'Neill, Ward 7; John J. Queeney, Ward 8; Louis Wolfe, Ward 12; William J. Strout, Ward 15;

James F. Dolan, Ward 19; John Bosanquet, Ward 20; Ralph C. Holton, Ward 20; George W. Homer, Ward 21.

Forty traverse jurors, Superior Criminal Court, Fourth Session, to appear October 3, 1927:

John S. Cozzo, Ward 1; Henry R. Sorensen, Ward 1; Francis J. Buckley, Ward 2; Aloysius B. Maraghy, Ward 2; Joseph L. Burke, Ward 3; William Chester Chase, Ward 5; George B. Davidson, Ward 5; Francis M. Donovan, Ward 6; Daniel J. Kennedy, Ward 7; William J. Morrison, Ward 7; Roderick C. MacDonald, Ward 8; John Moran, Ward 8; William T. Dowling, Ward 11; John J. Hantz, Ward 11; George J. Horther, Ward 11; William H. Locke, Ward 11; Maurice Miller, Ward 11; Mark G. Samuel, Ward 11; James W. O'Connor, Ward 12; Timothy T. Dwyer, Ward 13; William F. Monaghan, Ward 13; John L. Kennedy, Ward 14; Morris Wolff, Ward 15; James E. Leahy, Ward 16; Edwin D. Condon, Ward 17; John P. Finnegan, Ward 17; Wilford H. Gray, Ward 17; Edward Haigh, Ward 17; Edwin C. Kivlan, Ward 17; Alfred Swanson, Ward 17; Leonard Coullahan, Ward 18; John Gahn, Ward 18; John J. Hines, Ward 19; Thomas F. McGee, Ward 19; David Foster, Ward 20; Clarence W. Wilson, Ward 20; Nathaniel M. Levenson, Ward 20; Arthur B. Gillpatrick, Ward 21; Clarence F. Rees, Ward 21; William H. Smith, Ward 21.

Forty traverse jurors, Superior Criminal Court, Fifth Session, to appear October 3, 1927:

Edward J. McHugh, Jr., Ward 1; Michael W. Stapleton, Ward 1; John W. Doherty, Ward 2; Michael L. Frezer, Ward 2; Joseph F. Murphy, Ward 2; Patrick J. McGonagle, Ward 2; Daniel F. Flynn, Ward 3; John J. Norris, Ward 3; William H. Syran, Ward 4; William Claupein, Ward 5; Thomas J. Flynn, Ward 5; Theophilus Richards, Ward 5; John T. Malone, Ward 6; Duncan MacGee, Ward 6; Frank P. Davis, Ward 7; Conrad J. Volmershausen, Ward 7; John T. Loftus, Ward 8; John R. Bampton, Ward 9; Herbert J. Salter, Ward 9; Frank Burke, Ward 10; Hiram W. Cherrington, Jr., Ward 11; George P. Moylan, Ward 11; William Leiberfarb, Ward 12; Edward N. Mahoney, Ward 12; Henry P. Taylor, Ward 13; Benjamin S. Gainshoro, Ward 14; Gustave P. Larson, Ward 16; William E. Moore, Ward 16; David W. Splaine, Ward 16; George L. MacLellan, Ward 17; Karl W. Battis, Ward 18; George L. Forge, Ward 18; Philip Gollance, Ward 18; James E. Finigan, Ward 19; Ralph E. Ahlhot, Ward 20; Axel P. DeVega, Ward 20; Arthur R. Humphrey, Ward 20; Ralph S. Reed, Ward 20; John F. Ford, Ward 22; Alhert C. Peterson, Ward 22.

#### APPOINTMENT OF WEIGHERS.

The following was received:

City of Boston,

Office of the Mayor, September 7, 1927.

To the City Council.

Gentlemen,—Subject to the confirmation of your honorable body, I hereby appoint as weighers the following:

Weighers of Coal: Rose A. Clancy, 290 Hyde Park avenue; Pauline Kaplan, 29 Fernboro street, Roxbury, with the Lamartine Coal Company, 139 Lamartine street, Jamaica Plain.

Weighers of Goods: Harry Carpinto, 27 Taft place, Roslindale; Mary G. Brooks, 2 Phillbrick street, Roslindale, with the Whittemore Company, Roslindale; Howard Smith, 31 Old Health street, Roxbury, with the Beckwith Manufacturing Company.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Laid over until the law.

#### SANITARY CONDITIONS AT CARSON BEACH.

The following was received:

City of Boston,

Office of the Mayor, September 9, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Health Department, in reply to your

order of August 22, 1927, relative to an investigation of the sanitary conditions at Carson Beach.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Health Department, September 8, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have the honor to submit the following report of the investigation asked for by the order of the City Council dated August 22, 1927, regarding sanitary conditions at Carson Beach:

Weekly inspections have been made by this department of the public baths at Carson Beach, and from July 1 to date no occasion for complaint or criticism has arisen.

The beach and the water has been found at all times clean and free from dirt or refuse.

The walls, floors, ceilings, lockers and other parts of the building are washed daily.

The water-closets are entirely of earthenware, without woodwork, and are washed daily and kept in good condition. The urinals are of slate and are supplied with running water.

Samples of water, taken at various times at the bathing beach proper at high and low tide, at the surface drain east of bath house and at the sewer overflow east of bath house do not show evidence of gas formation or sewage pollution.

Respectfully submitted,

F. X. MAHONEY, M. D.,

Health Commissioner.

Placed on file.

#### CURBING ON POND STREET, WARD 7.

The following was received:

City of Boston,

Office of the Mayor, September 9, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Public Works Department, in reply to your order of August 22, 1927, requesting that curbing be laid on Pond street, Ward 7, adjoining the property at 755 Columbia road.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department,

September 8, 1927.

To the Honorable the Mayor.

I return order of the City Council, dated August 22, requesting that curbing be laid on Pond street, Ward 7, adjoining the property at 755 Columbia road, and report that orders have been issued to set edgestone at that location.

Yours respectfully,

J. H. SULLIVAN,

Commissioner of Public Works.

Placed on file.

#### REPAVING FRONT STREET, WARD 2.

The following was received:

City of Boston,

Office of the Mayor, September 9, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Public Works Department, in reply to your order of August 22, 1927, relative to the repaving with smooth paving, Front street, from the Warren Bridge to the Prison Point Bridge, Ward 2.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department,

September 8, 1927.

To the Honorable the Mayor.

In connection with the attached order of the City Council requesting that Front street, Charles-town, from Warren Bridge to Prison Point Bridge, be repaved with smooth paving, I wish to report that this street will be included in the 1928 program for the repair and reconstruction of streets.

Yours respectfully,

J. H. SULLIVAN,

Commissioner of Public Works.

Placed on file.



REPAVING F AND WEST THIRD  
STREETS, SOUTH BOSTON.

The following was received:

City of Boston,  
Office of the Mayor, September 9, 1927.  
To the City Council.

Gentlemen, I transmit herewith a communication from the Public Works Department, in reply to your orders of August 22, 1927, relative to the repaving of F street and West Third street, South Boston.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
September 8, 1927.

To the Honorable the Mayor.

I return orders of the City Council relative to the repaving of F street and West Third street, South Boston.

We will be unable to do any extensive work on either of these streets, on account of the lack of money. Between A street and East Broadway we are expending about \$100,000 in this section.

F and West Third streets will be put on the program for 1928.

Yours very truly,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

ARC LIGHTS, HYDE PARK AVENUE.

The following was received:

City of Boston,  
Office of the Mayor, September 7, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Public Works Department, in reply to your order of May 23, 1927, relative to the installation of five additional arc lights on Hyde Park avenue, between Pine and Everett streets, Ward 18.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
August 22, 1927.

To the Honorable the Mayor.

In connection with the attached order of the City Council, requesting the installation of five additional arc lamps on Hyde Park avenue, Ward 18, between Pine street and Everett street, I wish to report that the necessary order for this work has been given to the Edison Company.

Yours very truly,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

FIRE HAZARD, MEDFORD STREET,  
CHARLESTOWN.

The following was received:

City of Boston,  
Office of the Mayor, September 7, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Fire Department, in reply to your order of June 14, 1927, requesting the Fire Prevention squad make an extensive inspection of buildings on Medford street, Charlestown, from Chelsea street to Fay square, for the purpose of reducing the fire hazard.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Fire Department, August 12, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Referring to an order passed by the City Council on June 14, 1927, I inclose herewith in duplicate a report of the Fire Prevention Division on the inspection of Medford street, Charlestown, as requested in the order referred to.

Yours very truly,  
E. C. HULTMAN, Fire Commissioner.

August 9, 1927.  
From: Fire Prevention Division.

To: Fire Commissioner.  
Subject: Inspection of Medford Street, Charlestown.

Sir,—In compliance with your order of June 29 I submit herewith a report of the inspection work of members of this division on Medford street, Charlestown.

The street is situated on the northerly side of Charlestown and extends from Chelsea street to Fay square; is approximately  $1\frac{1}{4}$  miles long and has an even width of 40 feet from curb to curb its entire length.

Public Fire Protection: There are four engine and two ladder companies located within easy access to the street. There is sufficient hydrant service fed from a 12-inch main running the entire length of the street. Two firehoats respond—one on the first and the other on the second alarm—to all fire alarm boxes on the street. These hoats have access to the foot of each wharf for almost the entire length of the street. The northerly side of the street, with the exception of a few dwellings on the lower end, is occupied by industrial plants. The southerly side is used almost exclusively for dwellings, there being hut 3 industries on that side. I am presuming that the investigation was intended to cover only the industrial activities on the street.

No. 47 Medford street: Occupied by Glendale Coal Company for the storage and sale of coal and wood. There are five buildings on this wharf besides coal pockets and hoisting engines housed by wooden construction. Conditions satisfactory.

No. 103 Medford street: Occupied by Palmer & Parker Company for the storage and milling of mahogany lumher. This firm also occupies a large portion of the wharf in the rear of No. 121 Medford street where a considerable quantity of lumher is stored in the open. There are twelve buildings on these premises, a few of which are of the second-class, the remainder being of framed construction. The inspection showed a lack of fire protection throughout the premises. Some buildings should be equipped with automatic sprinklers and practically all of the buildings should have more portable fire extinguishers. With the exception of one location, where waste wood and sawdust were piled, conditions were found to be satisfactory, there being no accumulation of waste material laying around inside the building or between the lumher piles. The exceptional case is being remedied.

No. 121 Medford Street: Occupied by the Orpin Desk Company. This is a four-story wooden framed building separated in the center by a fire wall; openings on each floor protected by double tin-clad doors. In addition to the main building there are several small structures in the yard used for various purposes in connection with the business. The buildings are amply protected with up-to-date automatic sprinklers and portable fire appliances. The premises were found to be in a neat and tidy condition, there being no accumulation of waste material laying about.

No. 141 Medford Street: Occupied as a garage and a repair shop by H. H. Wiggins. Conditions satisfactory.

No. 143 Medford Street: Occupied by Howard & Laird as a blacksmith and carpenter shop. The building is of third-class construction. Conditions satisfactory.

No. 97 Monument Street, Corner of Medford Street: Occupied by the Howard Manufacturing Company. The buildings are of brick, second-class construction consisting of five stories and a basement and are equipped throughout with an approved automatic sprinkler system. Conditions satisfactory.

No. 190 Medford Street: Occupied by the Howard Manufacturing Company. The building consists of four stories, brick and of second-class construction and is used largely for the storage of finished and unfinished products. Conditions satisfactory.

No. 149 Medford Street: Formerly occupied by the Wellington-Wild Coal Company. At the present time only a stable and a portion of another building are being used. There are three framed buildings on the premises, the greater part of which are unoccupied. In addition there is a large wooden structure formerly used as coal pockets now vacant and in its present condition may be said to constitute a fire hazard.

No. 161 Medford Street: Occupied by the Burtou Furber Coal Company. There are seven



buildings on these premises and one up-to-date coal pocket of concrete construction. Conditions satisfactory.

No. 191 Medford Street: A third-class framed building occupied by Bradley & Chapman, plumbers; the second floor by H. G. W. Young, baking machinery. Here it is recommended that three fire pails be installed.

No. 199 Medford Street: Occupied by E. S. Morse & Co., coal dealers. The office building is of third-class construction. There are three wooden coal pockets, a stable where ten horses are kept; third-class construction. Conditions satisfactory.

No. 217 Medford Street: Occupied by Brownfield & Johnson, blacksmith and carpenter shop. Conditions satisfactory.

No. 222 Medford Street: Occupied by H. J. Winde & Co., dealers in hardwood lumber. Conditions satisfactory.

No. 231 Medford Street: Occupied by Charles Holyoke Lumber Company and I. H. Bogart Son, Inc., lumber milling. There are six buildings on these premises and aside from the recharging of extinguishers conditions were found to be satisfactory.

No. 289 Medford Street: Occupied by New England Fuel and Transportation Company. There are eight buildings on these premises which were found to be in good order. Conditions satisfactory.

No. 295 Medford Street: Occupied by Holt & Bugbee Lumber Company. There are five buildings on the premises and with the exception of lack of portable extinguishers conditions were found to be satisfactory.

No. 50 Terminal Street off Medford Street: Occupied by the Wiggins Terminal, Inc. The premises contain modern first-class buildings which are used for storage purposes. The buildings are protected by automatic sprinklers, hose attached to standpipes on each floor, portable fire extinguishers, signal boxes on each floor and watchman service. Conditions satisfactory.

No. 333 Medford Street: Occupied by Revere Sugar Refinery. The inspector reported as follows: "All buildings and the grounds around the buildings are in a clean and orderly condition. The buildings are amply protected against fire." Conditions satisfactory.

No. 348 Medford Street: Used by the Wiggins Terminal, Inc., for the storage and sale of lumber. This is one of the best equipped lumber wharves in the entire city, there being fire alarm boxes, hydrants with hoses attached at various intervals and watchman service. Conditions satisfactory.

No. 465 Medford Street: Occupied by Brockway Smith, manufacturers of sashes, doors, etc. The inspection showed ample protection against fire through the installation of automatic sprinklers and portable fire extinguishers and watchman service. Conditions satisfactory.

No. 521 Medford Street: Occupied by S. M. Howes Company, manufacturers of stoves and accessories. There are six buildings on these premises, all of which were thoroughly investigated and conditions were found to be satisfactory.

No. 412 Medford Street: Occupied by Whittemore Woodbury Company, manufacturers of water leather finish. There are three third-class buildings on the premises and inspection showed conditions satisfactory.

Medford Street has undergone a beneficial change in the past 20 years from a fire protection viewpoint. Many of the old ramshackled buildings have been razed and replaced by structures, which in the event of spreading fire would constitute efficient barriers.

The public fire protection is all that could be expected. The Mystic Dock is an important feature in the protection of property on the wharves bordering Medford street. Here the fireboats quickly respond to operate with either turret pipes or land lines.

Palmer & Parker Company have not sufficient fire appliances to protect the vast amount of valuable lumber stored on their premises, estimated to be valued at upwards \$600,000. Persistent efforts will be continued to require better protection.

The old Wellington-Wild wharf property is dangerous because of the high wooden structure which contains the coal pockets now vacant and other old buildings, some of which are only partly occupied.

After careful consideration of all the conditions I am prompted to say that Medford street is reasonably safe against fire.

Respectfully submitted,

PETER E. WALSH,  
Superintendent Fire Prevention Division.  
Placed on file.

#### ARC LAMP WEST SELDEN STREET.

The following was received:

City of Boston.  
Office of the Mayor, September 7, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Public Works Department, in reply to your order of July 11, 1927, relative to the installation of an arc lamp on the corner of West Selden street and Crossman street, Ward 18.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, August 22, 1927.  
To the Honorable the Mayor.

I return order of the City Council requesting the installation of an arc lamp on the corner of West Selden street and Crossman street, Ward 18, and report that the Edison Company has been directed to install a lamp at that location.

Yours very truly,  
J. H. SULLIVAN,  
Commissioner of Public Works.  
Placed on file.

#### SALE OF HEALTH DEPT. EQUIPMENT.

The following was received:

City of Boston,  
Office of the Mayor, September 7, 1927.  
To the City Council.

Gentlemen,—I am herewith transmitting a communication from the Health Commissioner relative to the sale of a quantity of equipment and apparatus, the property of the Health Department, and I recommend the passage of the accompanying order.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Health Department, August 23, 1927.  
To the Honorable the Mayor and the City Council.

I respectfully request your authorization to the disposition by sale of certain property of this department purchased by the city for use of the Conservation Division of the Health Department, and which no longer can be used. The value of this equipment and apparatus exceeds \$500.

Yours respectfully,  
F. X. MAHONEY, M. D.,  
Health Commissioner.

Ordered, That the Health Commissioner be and hereby is authorized to sell, after public advertisement, a quantity of equipment and apparatus belonging to the Health Department, valued at over five hundred dollars.

Referred to the Executive Committee.

#### INSTALLATION OF ARC LIGHTS ON BELLEVUE STREET, DORCHESTER.

The following was received:

City of Boston,  
Office of the Mayor, September 7, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Public Works Department, in reply to your order of June 14, 1927, relative to the installation of three arc lights on Bellevue street, Dorchester, between Columbia road and Quincy street.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, August 27, 1927.  
To the Honorable the Mayor.  
I return order of the City Council requesting the installation of additional arc lamps on Bel-

vue street, Dorchester, between Columbia road and Quincy street. Two arc lights will properly light this stretch of street, and the Edison Company has been directed to make the installation as soon as possible.

Yours respectfully,  
JAMES H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### PARKWAY, SHAWMUT BRANCH.

The following was received:

City of Boston,  
Office of the Mayor, September 7, 1927.  
To the City Council.

Gentlemen,—I transmit herewith communications from the Park Department and Transit Commission, in reply to your order of August 22, 1927, relative to the providing of suitable shade trees and shrubbery immediately adjacent to and along the line of the top or roof of the new Shawmut Branch Extension rapid transit line, from Park street to Peabody square, Dorchester, and the providing of suitable park benches and sand boxes for children along said area way.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, September 1, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I am returning herewith your memorandum and order from the City Council requesting the Park Commissioner to advise the City Council as to the approximate cost of providing suitable shade trees, shrubbery, etc., immediately adjacent to and along the line of the top or roof of the new Shawmut Branch Extension.

In reply I desire to say I have taken this matter up with the chairman of the Transit Commission, who informs me that upon the completion of the Shawmut Branch Extension this area will be turned over to the Boston Elevated Railway for that company to maintain.

Very respectfully yours,  
W. P. Long, Chairman.

City of Boston,  
Transit Department, September 1, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Herewith is returned order of the City Council, dated August 22, 1927, regarding the utilization of the roof of the Dorchester Rapid Transit, between Park street and Peabody square, and all adjacent land for the purposes of providing trees, shrubbery, park benches and sand boxes.

Under the terms of the Legislative Act authorizing the construction of the Dorchester Rapid Transit, the department is required to sell any land or rights or interests in land or other property acquired for the purposes of the act, whenever the same ceases to be needed for transportation purposes, and in conformity with this provision the department is arranging to sell all land outside the limits of the actual structure.

The Boston Elevated Railway Company, under the terms of the act, becomes the lessee upon completion, and therefore has jurisdiction of the property, but we have been assured that they have no objection to such use, provided they are relieved of all responsibility in connection therewith.

Yours very truly,  
CITY OF BOSTON TRANSIT DEPARTMENT,  
by THOMAS F. SULLIVAN, Chairman.  
Placed on file.

#### DORCHESTER RAPID TRANSIT.

The following was received:

City of Boston,  
Office of the Mayor, September 7, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Transit Commission, in reply to your order of August 22, 1927, relative to the estimated dates when the Rapid Transit Service will commence to Fields Corner and the Shawmut Station, and whether arrangements might be made for switch-overs or other track arrangements

insuring at least limited service as far as Shawmut Station pending the completion of the end of the line.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Transit Department, September 1, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Herewith is returned order of the City Council, dated August 22, 1927, requesting information regarding the operation of service on portions of the Dorchester Rapid Transit.

In answer to question No. 1, it is estimated that the line to Fields Corner will be ready for operation about November 1.

In answer to question No. 2, it is estimated that the tracks, signals, station building and other appurtenances through Shawmut Station will be completed early in 1928, and this will include a single cross-over south of Shawmut for switching trains.

In answer to question No. 3, we beg to report that the question of operation of any portion of this line is entirely within the jurisdiction of the operating company, the Boston Elevated Railway Company, and as the trustees declined, when requested by you to operate to Columbia Station because of the limited facilities for terminal operation from a way station, it is doubtful that they will operate to Shawmut in advance of the construction of the terminal at Ashmont.

Yours very truly,  
CITY OF BOSTON TRANSIT DEPARTMENT,  
by THOMAS F. SULLIVAN, Chairman.  
Placed on file.

#### RETIREMENT OF LABORER.

The following was received:

City of Boston,  
Office of the Mayor, September 7, 1927.  
To the City Council.

Gentlemen,—Attached please find retirement papers of John H. Gleason, laborer in the Public Works Department, petitioning for retirement under the laborers' compensation act.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the Retirement Board for Laborers be hereby authorized and requested to retire under the provisions of chapter 765 of the Acts of 1914, as amended by chapter 63 of the Special Acts of 1915, John H. Gleason, employed in the labor service of the City of Boston in the Public Works Department.

Referred to the Executive Committee.

#### PETITIONS REFERRED.

The following petitions were received and referred to the Committee named, viz.:

##### Claims.

Frank Ausiello, for compensation for injuries caused by being struck by City Hospital car.

Henry W. Bird, for compensation for damage to automobile caused by an alleged defect at Bay State road and Ashby street.

Josephine Blonda for compensation for injuries caused by an alleged defect at 37 Thatcher street.  
Lilly G. Buchold, for compensation for injuries caused by an alleged defect at 581 Boylston street.

Berch & Cadigan, for refund on building fee.

I. I. Chamberlin, for refund on taxes paid under protest.

Mary Chmiell, for compensation for damage to property at 423 East Eighth street, caused by bursting of water pipes.

Charles A. Collins, for compensation for damage to automobile by city truck.

Danforth W. Comins, for refund on truck license.

Cosmopolitan Stables Company, Inc., for compensation for damage to sidewalk at 56 Pitts street, caused by ash truck.

Mary Costanza, for compensation for injuries caused by an alleged defect in Cambridge street, in front of Library Branch.



Elizabeth S. Cummings, for compensation for injuries caused by an alleged defect at 1356 Blue Hill avenue.

James J. Curtin, for compensation for damage to property at 454 West Fourth street, caused by falling tree.

Helen Derzakarian, for compensation for injuries caused by an alleged defect in Cabot Street Bath House.

Sarah C. Donovan, for compensation for damage to property at 455 Cambridge street, Allston, caused by falling tree.

Harry Edwards, for compensation for damage to automobile by city team.

Harry Eigner, for refund on water taxes.

Baile Feingold, for compensation for injuries caused by an alleged defect in Brookview street, Dorchester.

Mrs. Annie Formanek, for compensation for damage to clothing on Boston Common.

Alice Glover, for compensation for injuries caused by an alleged defect in Dudley street, Roxbury.

W. E. Goodwin, for compensation for damage to property at 1681 Commonwealth avenue, caused by overflow of water.

John Higgins, for compensation for injuries caused by an alleged defect at 13 Ferry street.

Angelo Imberuno, for refund on street license.

Fred C. Latendorf, for compensation for damage to property at 94 Brookside avenue, caused by balls thrown from playground.

Hyman Levine, for compensation for injuries received on ferryboat.

Ovide A. L'Heureux, for compensation for damage to automobile by fire apparatus.

Joseph Lombardi, for compensation for damage to automobile by fire apparatus.

Mary Macaroni, for compensation for injuries caused by an alleged defect at 440 Hanover street.

Andrew Magri, for compensation for injuries caused by an alleged defect at 50 Harvard street.

Mary F. Maroney, for compensation for injuries caused by an alleged defect at 125 Dorchester avenue.

William L. Matthews, for compensation for injuries caused by an alleged defect in Ceylon street.

Katherine McCarthy, for compensation for injuries caused by an alleged defect in Dorchester street.

Morgan Memorial for compensation for damage to property at Shawmut avenue and Corning street, caused by ash truck.

John J. Murphy, for compensation for damage to automobile caused by an alleged defect at 126 Walter street, Roslindale.

National Sportsman Magazine, for refund on refuse tickets.

William E. Norwood, for refund on sewer apportionment.

Anna Pascar, for compensation for injuries caused by an alleged defect in Dacia and Wayland streets.

Elizabeth Perry, for compensation for injuries caused by an alleged defect at 117 Atlantic avenue.

Mrs. Dan Portle, for compensation for damage to clothing on Rutherford avenue, caused by water wagon.

Leard Remsen, for refund on employment license.

M. J. Ryan, for compensation for damage to automobile by city truck.

Marguerite Sacco, for compensation for injuries received on ferryboat.

Harry Sheinblatt, for compensation for damage to automobile by city truck.

John H. Sullivan, for compensation for damage to clothing caused by fall on stairs in City Hall Annex.

Walter Thurber, for compensation for damage to automobile by city truck.

Touraine Lunch Company, for compensation for damage to property at 685 Washington street, caused by backing up of sewage.

Edward A. Trask, for compensation for damage to automobile caused by an alleged defect at 85 Orient avenue.

Mrs. Anna Uva, for compensation for damage to property at 84 Bickford street, caused by dump cart.

Charles Varnerin, for compensation for damage to automobile by city cart.

Ermilindo Vincierra, for compensation for injuries caused by an alleged defect at North and Suncourt streets.

Arthur Weil, for compensation for damage to automobile caused by an alleged defect at 181 Washington street.

William G. White, for compensation for damage to automobile by city truck.

Rose Williams, for compensation for injuries caused by an alleged defect at 89 Waltham street.

#### APPROVAL OF CONSTABLE'S BOND.

The constable's bond of John Sualich, having been duly approved by the City Treasurer, was received and approved.

#### APPROVAL OF APPOINTMENTS TO CITY PLANNING BOARD.

Notices were received of the approval by the Civil Service Commission of the appointments of Lilian C. Slattery and Sidney S. Conrad as members of the City Planning Board.

Placed on file.

#### APPOINTMENT OF PARK COMMISSIONER.

Notice was received of the appointment by the Mayor of Charles H. Innes to the position of Park Commissioner.

Placed on file.

#### APPOINTMENT OF LIBRARY TRUSTEE.

Notice was received of the appointment by the mayor of Clifton H. Dwinell to the position of trustee of the Public Library.

Placed on file.

#### TRACK LOCATION IN PEABODY SQUARE.

Notice was received from the Board of Street Commissioners of the granting to the Boston Elevated Railway Company of the 63d track location, viz., alteration of and addition to existing locations in the vicinity of Peabody square, Dorchester.

Placed on file.

#### PETITIONS FOR STORAGE OF GASOLENE.

Notices were received from the Board of Street Commissioners of hearings on petitions for the storage and sale of gasoline on September 12, 19, and 26, 1927.

Referred to Executive Committee.

#### REVOCATION OF ELEVATED JITNEY LICENSE.

Coun. WRAGG offered the following:

Ordered, That the license granted to the Boston Elevated Railway Company on August 22 for the operation of motor vehicles between Mattapan Station and the junction of Hyde Park avenue and Ashland street via Mattapan square, Oakland street, Ashland street, Canterbury street, and Hyde Park avenue, be and hereby is revoked without prejudice.

Coun. WRAGG—Mr. Chairman, if there is no objection, I should like to say a word on that order, and I think it would be agreeable to the Committee on Jitney Licenses to allow us to act on that today here. When I took this order off the calendar at the last meeting I was given to understand by a gentleman who was appointed as a committee to circulate a petition against the removal of car tracks on Oakland and Ashland streets that there was no objection. Not having heard any objection personally and wanting to see the citizens of that district provided with some sort of transportation during the process of reconstruction of Ashland and Oakland streets, I naturally asked that this order pass. Since then I have found that there is a great deal of agitation and discontent over this matter, and, as a matter of fact, there have been two mass meetings held against the tearing up of car tracks on Ashland and Oakland streets. The result has been that we have been before the trustees of the Boston



Elevated Railway Company at a hearing, and they are going to reconsider their action, or take it under advisement and see if it is possible for them to make some arrangement about putting those car tracks back. In that event the Boston Elevated will not need this permit; and, in talking with the city officials who are doing the construction work I learn it was easily seven months before those busses could operate, at any rate, and it is quite agreeable to the Boston Elevated Railway Company that we allow this permit to be revoked without prejudice so that at a later time, if the decision is against the citizens of that district, against the relaying of car tracks, they will be then without prejudice so far as concerns favorable consideration of putting them back. I therefore ask that the rule be suspended and the matter take its final course today.

The order was passed under a suspension of the rules.

#### RELAYING CAR TRACKS ON ASHLAND AND OAKLAND STREETS.

Coun. WRAGG offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to prevail upon the trustees of the Boston Elevated Railway Company to relay the car tracks on Ashland and Oakland streets, between Barry's quarry and Mattapan square, and that, if necessary, the expense be divided between the City of Boston and the Boston Elevated Railway Company.

Coun. WRAGG—Mr. Chairman, I should like to make one remark about this order. This is in connection with the other order which I just offered and has a great bearing upon the question of whether the car tracks will be relaid, and I therefore ask for a suspension of the rule and the passage of this order.

The rule was suspended and the order passed.

#### SIDEWALK ON PAUL GORE STREET.

Coun. GUILD offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Paul Gore street, from No. 75 to No. 95, Ward 19, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Coun. GUILD—Mr. Chairman, that is a sidewalk order which is an exact duplicate of one that was passed under suspension of the rule on September 20 of last year but somewhere in the shuffle, the way those things happen, apparently was lost and comes back now for a second passage. I move suspension of the rule and the passage of the order.

The rule was suspended and the order passed.

#### JOHN BROWN MEMORIAL.

Coun. WARD offered the following:

Whereas, The martyrdom of John Brown to the cause of Equal Rights for All, irrespective of race, creed or color, has won him a place among the American immortals; and

Whereas, In the City of Boston, which took the lead among American municipalities in the movement for the abolition of slavery in the United States, there is no memorial in honor of John Brown be it therefore

Ordered, That the Boston City Council respectfully recommend to his Honor the Mayor that measures be taken to erect a suitable monument in honor of John Brown, abolitionist and martyr, in Madison Park, Roxbury.

Coun. WARD—Mr. Chairman, I believe that every American interested in American history is familiar with the life and history of John Brown, and I should like to present to this body a résumé of the career and life of John Brown, the abolitionist.

The father of John Brown belonged to the early school of abolitionists, and his own opportunities of observing the cruelties practiced upon the unfortunate colored race, imbued him with a strong purpose to do what he might to effect the redress of their wrongs.

His adventurous spirit was developed by a childhood spent upon the borders of the wilderness. Before his twelfth year he was frequently sent in charge of cattle, sometimes a hundred miles through an unsettled country.

When but twenty-six years of age he was made postmaster of Richmond, Pa., and held that office during the administration of Presidents John Quincy Adams and Andrew Jackson.

When a resident of Franklin, Ohio, he made trouble in the church by his habit of admitting negroes into his own family pew.

Four years later he made his family covenant against the national sin, and gradually grew to believe the extirpation of slavery a mission committed to him personally.

Shortly after 1846 he went to England, but the leading abolitionists there listened coldly to his plans for emancipation.

All through his life there was never absent from his mind the purpose he had laid, the amelioration of the condition of the negro race.

In 1855-56 he took a leading part in the struggle in Kansas between the slaveholders and the friends of abolition. The possession of the territories, and the introduction into them of the system of slavery, meant for the slave-holding states an assured majority in Congress, while, on the other hand, the possession of the territories by the north meant the diminution of the power of the south. Many of the so-called southern "settlers" in Kansas were in reality employed in a military foray, and went there armed and void of intention to settle.

John Brown and his five sons joined the ranks of the free-state settlers. In March, 1855, occurred the first election for a territorial constitution; numbers of armed Missourians entered the state and cast their illegal votes by force of arms, and the Browns were mustered in as Kansas militia to defend the Lawrence.

As a result of the Brown's activity, their property was destroyed, two of the sons were subjected to imprisonment, and one of them murdered by a pro-slavery parson.

Later, he made a raid over the Missouri border and captured a number of slaves who were conducted to Canada.

In October, 1859, he took possession of the arsenal at Harpers Ferry, and seized the railroad bridge. He believed that the slaves would rise *en masse*, and that thus their freedom would be effected.

Virginia and Maryland, militia, however, attacked him, supplemented by United States troops under Col. Robert E. Lee. He was captured, tried, and indicted, and executed in Charlestown, Va., December 2, 1859.

The militant crusade of John Brown paved the way for the emancipation of the slaves by Abraham Lincoln; a martyr to the cause in which his whole soul was enlisted, I believe a monument to his memory should be erected in this, the city which supported him so unreservedly in his labors to remove the curse of human slavery from America, and to the furtherance of which end he gave his life.

Coun. GUILD—Mr. Chairman, I should like to inquire, before voting on this order, whether it is the purpose of the councilor who introduced it that the money come from the general tax levy or from some particular source aside from the general tax levy. The reason I ask this question is that I understand there exists in the city a so-called Phillips Street Fund which might be available for purposes of this sort, or might not, and it might conceivably be done out of the general tax levy, and I therefore inquire of the councilor who introduced the order from what source the money is to come.

Coun. WARD—Mr. Chairman, Madison Park is without a flag pole, and the thought I had in mind was to erect this monument in Madison Park in place of a flag pole. Since it would come under the Park system it would be possible to appropriate the money from the Phillips Street Fund, which I believe calls for erection of monuments in streets only.

The rule was suspended and the order passed.

#### ALLOWANCE FOR PUBLIC CELEBRATIONS.

Coun. RUBY offered the following:

Ordered, That the Finance Commission be requested, through his Honor the Mayor, to submit to the City Council the amounts which in their

opinion should be deducted for public celebrations in general and in each section of the city.

Coun. RUBY—Mr. Chairman, I was interested to read in one of the newspapers of Boston a few days ago a statement of the Finance Commission criticising the costs of celebrations in the City of Boston, in which they requested the Mayor in making up his budget for the coming year to so take care of public celebrations that the cost of same would be decreased. In the course of their report to the Mayor they emphasize the fact that, in 1926, \$70,796 was appropriated for celebrations, contrasting that, of course, with the appropriations in 1925 of \$95,000, or a reduction of \$25,000. They express the opinion in their report that no single administration is to blame, but they asked that a halt be called. Coming from that section of Boston where celebrations, in my opinion, not only are necessary but are of advantage to the people of my district, as well as of Boston, I felt that the Council here ought to know under just what circumstances the different sections of the city would be handicapped if a reduction in the so-called public celebrations fund was made by his Honor the Mayor. They table the expenditures, and in one of their tables there is an item of refreshments amounting to seven thousand and some odd dollars spent last year, not informing the public that \$5,000 of that \$7,000 for refreshments was spent for "Hoodsies" in every section of Boston in connection with the Fourth of July celebration. In the amount of \$70,000 of the 1926 public celebrations appropriation there was expended \$59,617 for the following items: Evacuation Day, \$8,136; Patriots Day, \$1,404; Memorial Mass, \$1,186; Memorial Day, \$14,145. This amount was spent for wreaths for the decoration of squares and graves of soldiers who had fought and given their lives, who lived in the City of Boston, accompanying these different visits to the cemeteries by the American Legion, the Veterans of Foreign Wars, the Spanish War Veterans, and other organizations of that kind. The Dorchester Day celebration cost \$2,128, divided amongst five wards in Boston, or approximately \$400 to each ward with a population running anywhere from 50,000 to 75,000 people. Firemen's Memorial, \$598; Bunker Hill Day, \$10,699, of which I am told \$3,500 or \$4,000 comes back into the coffers of the City of Boston from concessions that are let out at the Sullivan Square Playground; Independence Day, \$21,328, divided among twenty-two wards in Boston. And in this item there is included the \$5,000 to buy "Hoodsies" that are distributed by the different committees in the different wards of Boston to the children. If the Finance Commission's suggestion to his Honor the Mayor should be carried out, I doubt very much whether his Honor the Mayor would carry it out, because I believe that he is satisfied with the money spent in this way is a proper expenditure of money for purposes of this kind. Then the Finance Commission will say to the different members of the present City Council, or a future City Council, that celebrations ought not to be conducted in the different wards of Boston, regardless of whether it is the celebration of June 17, March 17, Dorchester Day, the Fourth of July celebration, May 30, or Labor Day. I believe that this is something that should be of interest to every member of this body, and for that reason I have introduced this order asking the Finance Commission to expressly stipulate which particular celebrations in their opinion should be permitted. I believe at this time, from my own personal point of view, that his Honor the Mayor has done a wonderful job with reference to keeping expenditures from the public celebrations fund down to a minimum; and I believe that the Director of Public Celebrations has co-operated with his Honor the Mayor in seeing that no undue expenditures are made with reference to such funds, and I believe that the members of this body will voice with me the thought that public celebrations, if worthy, ought to be encouraged rather than discouraged; and I therefore move suspension of the rule and passage of the order.

Coun. GUILD—Mr. Chairman, as I listened to the reading of the order which the councilor has introduced one thought occurred to me, and that is this. The Finance Commission has had a considerable reputation, either deservedly or undeservedly, of indulging in purely destructive criticism. As this order is worded, it is an invitation to further criticism of that sort, and it therefore occurred to me that the Council might be equally enlightened if the order were amended

so as to read that the Finance Commission be requested to inform us what celebrations they would "allow," rather than what they would "deduct," which is the word, I think, used in the order; that we invite the Finance Commission to give us constructive criticism and tell us just what we ought to do, rather than what we ought not to do; and I therefore move that the word "deduct," if that is the word, be stricken out and the word "allowed" be inserted in its place.

Coun. RUBY—Mr. Chairman, I would have no objection to substituting the councilor's amendment for the original order as presented so that his word might go in, because I am only anxious to find out from the Finance Commission, which I am not questioning, what celebrations in their opinion they feel a city such as Boston ought to indulge in.

The order, as amended, was read, viz.:

Ordered, That the Finance Commission be requested, through his Honor the Mayor, to submit to the City Council the amounts which in their opinion should be allowed for public celebrations in general and in each section of the city.

Coun. BUSH—Mr. Chairman, I do not see anything the matter with that order. It is simply a request to the Finance Commission to submit what they estimate is sufficient for the various celebrations to be held. We can do as we see with it after we get their estimate.

The rule was suspended and the order passed.

#### FENCE AT PRESCOTT SQUARE.

Coun. DONOVAN offered the following:

Ordered, That his Honor the Mayor be requested to submit to the City Council an order providing for the transfer of the unexpended balance of the appropriation for Putnam Square Improvement to an appropriation for a fence at Prescott square, bounded by East Eagle and Trenton streets.

The rule was suspended and the order passed.

#### FERRY USE ON JULY FOURTH.

Coun. DONOVAN offered the following:

Ordered, That the Commissioner of Public Works be authorized to accept the sum of one dollar for the use of the ferries on July Fourth, to be charged to the appropriation for Public Celebrations.

The rule was suspended and the order passed.

#### REPAVING STREETS IN WARD 8.

Coun. DOWD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving the following streets in Ward 8:

East Dedham street, from Albany street to Washington street.

Harrison avenue, from Union Park to East Newton street.

East Canton street, from Albany street to Washington street.

The rule was suspended and the order passed.

#### REPAVING BLUE HILL AVENUE.

Coun. RUBY offered the following:

Ordered, That the sum of \$50,000 be and is hereby appropriated to be expended under the direction of the Commissioner of Public Works for the repaving of Blue Hill avenue, from Seaver street to Talbot avenue, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city for said amount.

Referred to the Committee on Finance.

#### SAFETY ZONE, SOUTH HUNTINGTON AND HUNTINGTON AVENUES.

Coun. FRELEY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to



establish a safety zone at the junction of South Huntington and Huntington avenues, Ward 10.

**SIDEWALK ON WILLOWOOD STREET, WARD 14.**

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Willowood street, both sides, between Woodrow avenue and Norfolk street, Ward 14, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

The rule was suspended and the order passed.

**REPAVING FALCON STREET, WARD 1.**

Coun. DONOVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Falcon street, Ward 1, from Border to Glendon street.

The rule was suspended and the order passed.

**WORK ON CAUSEWAY BETWEEN MARINE PARK AND CASTLE ISLAND.**

Coun. MAHONEY offered the following:

Ordered, That the Board of Park Commissioners be requested, through his Honor the Mayor, to advise the City Council why work on the new causeway between Marine Park and Castle Island has been discontinued and when work will be resumed and the causeway completed.

The rule was suspended and the order passed.

**RESURFACING F STREET, WARD 6.**

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving F street, from First to Fourth streets, Ward 6.

The rule was suspended and the order passed.

**ENFORCEMENTS OF CITY ORDINANCES.**

Coun. FREELEY offered the following:

Ordered, That the Commissioner of Police, through his Honor the Mayor, be requested to enforce the provisions of section 40 of chapter 39 of the City Ordinances.

The rule was suspended and the order passed.

**NAMING JOHN J. HEFFERNAN SCHOOL BUILDING.**

Coun. FREELEY offered the following:

Ordered, That the School Committee be requested, through his Honor the Mayor, to name the next school building erected in the City of Boston in honor of John J. Heffernan, late President of the City Council.

The rule was suspended and the order passed.

**REMOVAL OF PAVING ON BILLERICA STREET, WARD 3.**

Coun. FITZGERALD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to remove the granite block paving now on Billerica street, Ward 3, and to repave said street with smooth paving.

The rule was suspended and the order passed.

**SIDEWALK ON QUINCY STREET, WARD 15.**

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Quincy street, from Columbia road to 127 feet west of Barry street, Ward 15, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

The rule was suspended and the order passed.

**RESURFACING BAINBRIDGE STREET.**

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Bainbridge street, Ward 11.

The rule was suspended and the order passed.

**IMPROVEMENT OF TENEAN BEACH.**

Coun. GILBODY called up No. 10 on the calendar, viz.:

10. Ordered, That the sum of \$50,000 be and hereby is appropriated to be expended under the direction of the Park Department for the improvement of Tenean Beach, Dorchester, and that to meet such expense the City Treasurer be authorized to issue, from time to time, at the request of the Mayor, bonds or certificates of indebtedness of the city for said amount. On August 22, 1927, the foregoing order was read once and passed, yeas 20, nays 0.

The order was read a second time and again passed, yeas 19, nays 0.

**OPENING OF SERVICE IN DORCHESTER TUNNEL.**

Coun. WILSON—Mr. Chairman, if I may interrupt at this time, I have just completed reading the reply of the Transit Commission, through the office of the Mayor, to the order of the City Council on August 22, with reference to the most important question in Dorchester at the present time, namely, the date of the approximate opening of the various sections of the Dorchester Tunnel, and, while I have the strongest personal regard for Colonel Sullivan personally, and while I realize full well that, on the completion of the work on his hand, the responsibility will not rest on him but on the officials of the Boston Elevated Railway Company by consistently continuing to express the thought of guaranteed dividends to stockholders and the public be damned generally so far as past car service is considered, I am interested to read the second paragraph. According to advices from Colonel Sullivan of the Transit Department, the new Dorchester Tunnel will open to Fields Corner by November 1 of this year. I understand that rapid transit service will not extend beyond Fields corner for at least another twelve months, and yet we learn from the Transit Department that the tracks, signals, station buildings, and other appurtenances through the Shawmut Station will be completed early in 1928, including a cross-over south of Shawmut Station for switching trains. So that on an authority no less than that of the Transit Commission, it will be physically possible for the officials of the Boston Elevated Railway Company,—if they have any regard for the rights of the car-using public,—it will be possible for them, on the day when the Fields Corner station is done, or within a few months thereafter, to give the people of the central Dorchester district rapid transit service at least as far as Shawmut and possibly to Peabody square, even though they may not have had opportunity to build a beautiful structure for similar purposes beyond Peabody square. I realize that delay in opening the tunnel beyond Fields Corner may save the Elevated Railway some few dollars in rent and some other expenses, but it seems to me that Colonel Sullivan expressed the point in regard to the Dorchester Tunnel some time ago, namely, that the car riders' rights are of paramount importance. I see no reason why the officials of the Elevated Railway Company should forget the Dorchester district, perhaps another



winter, or perhaps for another year, or a year and a half, and it would seem opportune now to remind Mr. Dana and his fellow officials that perhaps they can tear up the car tracks in Dorchester on Washington street, leaving the entire Codman Hill district without any service for the past two years, and they can continue to overlook whether we are or are not getting service in Dorchester, and they can forget Dorchester through another winter, but they should not forget that it was a straw that finally broke the camel's back.

Coun. GILBODY—Mr. Chairman, I should like to add just a word further to the remarks most appropriately made by my colleague from a neighboring ward in Dorchester. There isn't any question but that our section of Dorchester, represented by the past speaker and myself, is urgently in need of rapid transit and earnestly requires this service through Ashmont, as mentioned in the Transit Commissioner's letter. Of course, the other gentlemen from Dorchester are pretty well taken care of now because they will be fixed up on the first day of November, and that is a great relief; but I do want to say that conditions are terrible in the way of transportation on the trolley end of the buses going out through Ashmont to Milton, and I earnestly hope and pray that relief will come to Dorchester as outlined in the communication from Colonel Sullivan.

#### CONFIRMATION OF APPOINTMENTS.

Chairman DOWLING called up No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor August 22, 1927, of David R. Smith, Israel Day, Samuel Lurie, Anna E. Gilligan and Eugene Gallagher, to be Weighers of Coal; and Ronald H. Ingram and Edward C. McClure, to be Weighers of Beef.

Coun. Guild and Lynch appointed a committee to receive and count ballots. The appointments were confirmed, yeas 13, nays 0.

#### PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds for the period from September 1 to September 15, 1927, inclusive, amounting to \$4,073.05, was received and approved.

#### RECESS.

On motion of Coun. ARNOLD the Council voted, at 3.15 p. m., to take a recess, subject to the call of the Chair. The members reassembled in the Council Chamber, and were called to order by Chairman Dowling at 3.45 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following:

1. Report on the message and order, referred today, concerning retirement of John H. Gleason, laborer in Public Works Department—that the same ought to pass.

Report accepted; said order passed.

2. Report on No. 2 on the calendar, viz., action on appointments submitted by the Mayor August 22, 1927, of John F. Ruggieri, John A. Wragg, Amos J. G. Patch, John J. Bavis and William H. Robinson, to be Constables—that the appointments of John A. Wragg and William H. Robinson be confirmed; and report on No. 4 on the calendar, viz., action on appointments submitted by the Mayor June 27, 1927, of Ralph L. Smith, George A. Allison and John S. Avramides, to be Constables—that the appointments of Ralph L. Smith and George A. Allison be confirmed.

Coun. Ward and Parkman appointed committee to receive and count ballots. Said appointments were confirmed, yeas 15, nays 0.

#### REPORT OF COMMITTEE ON ORDINANCES.

Coun. WARD, for the Committee on Ordinances, made the following report:

1. Report on ordinance, submitted April 4, 1927, concerning park frontages—that the same ought to pass.

Report accepted; said order passed.

#### STUDY OF NURSING.

Coun. WARD offered the following:

Ordered, That the City Hospital Trustees be requested, through his Honor the Mayor, to provide for an appropriation in the sum of \$2,500 to be used for the purpose of encouraging girls in the public schools to study nursing at the City Hospital.

The rule was suspended and the order passed.

#### LAYING OUT RIVERDALE STREET.

Coun. DOWLING offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Riverdale street, Ward 22, as a public highway.

The rule was suspended and the order passed.

#### SIDEWALK ON TOPLIFF STREET.

Coun. McMAHAN offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk in front of 53 Topliff street, Ward 15, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

The rule was suspended and the order passed.

#### REPAVING STREETS IN WARD 9.

Coun. WARD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving the following streets in Ward 9: Ward street and Prentiss street.

The rule was suspended and the order passed.

#### GENERAL RECONSIDERATION.

On motion of Coun. LYNCH, general reconsideration of all action taken today was refused.

#### ADJOURNMENT.

On motion of Coun. FITZGERALD, it was voted that when the Council adjourn it would be to meet on Monday, September 26, 1927.

Adjourned at 3.50 p. m., on motion of Coun. PARKMAN, to meet on Monday, September 26, 1927.

## CITY OF BOSTON.

## Proceedings of City Council

Monday, September 26, 1927.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., Coun. DOWLING, senior member, presiding, and all the members present.

## APPOINTMENTS BY THE MAYOR.

The following were received:

City of Boston,  
Office of the Mayor, September 23, 1927.  
To the City Council.  
Gentlemen,—Subject to the confirmation of your honorable body, I herewith appoint the following named persons as constables for the City of Boston: Bernard Chauncey, 2 Franklin Garden court; Louis M. Rose, 103 Waumbeck street, Roxbury; Edward Oher, 95 Nightingale street, Dorchester.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Office of the Mayor, September 26, 1927.  
To the City Council.  
Gentlemen,—Subject to the confirmation of your honorable body, I appoint the following named persons as weighers of goods: Nelson I. Crowther, 11 Bloomfield street, Lexington, employed at Cordingley & Co., 266 Summer street; John J. Riley, employed by Nichols & Co., Inc., 12 Pittsburgh street, Boston; Michael McDougall, 260 D street, South Boston, employed by the Robert Bishop Manufacturing Company, South Boston.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.  
Severally laid over under the law.

## TRANSFER, FRANKLIN SQUARE IMPROVEMENT.

The following was received:

City of Boston,  
Office of the Mayor, September 26, 1927.  
To the City Council.  
Gentlemen,—I am in receipt of the attached request of the chairman of the Park Commission for the transfer of an unexpended balance of \$2,343.79 from a special appropriation, Highland Park Improvements, to an appropriation for Franklin Square and Blackstone Square Improvements. Since the work for which this money was originally appropriated has been completed, I respectfully recommend adoption of the accompanying order.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, September 22, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—You are respectfully requested to ask the approval of the City Council to transfer the sum of \$2,343.79, now remaining as a balance in the special appropriation, "Highland Park, Improvements," to an appropriation for Franklin Square and Blackstone Square, Improvements.

The reason for making this request is that the money is now no longer needed for Highland Park, Improvements and could be used for improvements in the walks, fencing, and grading at Franklin square and Blackstone square in the South End.

Respectfully yours,  
WILLIAM P. LONG, Chairman.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Highland Park, Improvements, \$2,343.79 to the appropriation for Franklin Square and Blackstone Square, Improvements, \$2,343.79.

Referred to Executive Committee.

## FENCE AT PRESCOTT SQUARE.

The following was received:

City of Boston,  
Office of the Mayor, September 26, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of September 12, 1927, relative to the transfer of the unexpended balance of the appropriation for Putnam Square Improvement to an appropriation for a fence at Prescott square, bounded by East Eagle and Trenton streets.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, September 21, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of September 15, with inclosure, order from the City Council, that his Honor the Mayor be requested to submit to the City Council an order providing for the transfer of the unexpended balance of the appropriation for Putnam Square Improvement to an appropriation for a fence at Prescott square, bounded by East Eagle and Trenton streets.

In reply I desire to say that I have already requested this transfer in a letter to you dated September 15. It is not necessary to refer same to the City Council.

Very respectfully yours,  
W. P. LONG, Chairman.

Placed on file.

## PARKMAN FUND APPROPRIATION.

The following was received:

City of Boston,  
Office of the Mayor, September 26, 1927.  
To the City Council.

Gentlemen,—I am advised that there is now available in the income of George F. Parkman Fund \$54,500. The Board of Park Commissioners have submitted to me a proposal calling for the expenditure of this amount for various park improvements. The detail in connection with this program appears in the letter herewith attached. I accordingly submit the necessary appropriation order and respectfully recommend its adoption by your honorable body.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, September 21, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—By vote of the Board of Park Commissioners, you are respectfully asked to make a request on the City Council for a transfer from the income of the George F. Parkman Fund of the following amounts which are now available for the purposes stated below:

|                                                                                                                                                                                                                                         |          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Franklin Park Improvements.....                                                                                                                                                                                                         | \$25,000 |
| The sum of \$5,000 will be required for the completion of the excavation, hasting, drainage, etc., for the continuation of the Greeting....                                                                                             | \$5,000  |
| Resurfacing of macadam roads in Franklin Park.....                                                                                                                                                                                      | 10,000   |
| This amount will be required to resurface macadam roads in Franklin Park which are extensively used.                                                                                                                                    |          |
| Repairs to buildings, extension to hippopotamus tank etc.....                                                                                                                                                                           | 10,000   |
| This amount will be required to enlarge the hippopotamus tank, due to the fact that the hippopotamus has grown so large his present quarters are cramped; also a considerable amount of repairs are necessary to the various buildings. |          |
| Riverway Improvements.....                                                                                                                                                                                                              | 7,500    |
| Widening of Riverway. This amount is required to widen the Riverway and to remove dangerous curves.                                                                                                                                     |          |

|                                                                                                                                                                                                                                                                                                      |                 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| Marine Park, Improvements.....                                                                                                                                                                                                                                                                       | \$10,000        |
| To build a causeway from Marine Park towards Castle Island. The granolithic walk has been laid, but the grading and sanding of beach, etc., could not be done on account of lack of funds. The above amount is asked for to complete this work.                                                      |                 |
| Thomas Park, Improvements, South Boston.....                                                                                                                                                                                                                                                         | 3,000           |
| Repairs to walks, etc. The old tar walks at this park are dangerous and should be repaired. The above amount is asked for to do this work and also a considerable amount of grading on slopes.                                                                                                       |                 |
| Massachusetts Avenue, Improvements...                                                                                                                                                                                                                                                                | 2,000           |
| Repairs to fence and new fence. The old iron fence around Chester square on Massachusetts avenue, between Shawmut avenue and Tremont street, is disintegrating to such an extent it is getting dangerous. The above amount is asked for to repair said fence, and where necessary erect a new fence. |                 |
| Maverick Square, Improvements, East Boston.....                                                                                                                                                                                                                                                      | 2,000           |
| The above amount is asked for to re-grade, replant and to fix up this important square.                                                                                                                                                                                                              |                 |
| Longwood Park, Improvements, Roxbury,                                                                                                                                                                                                                                                                | 3,000           |
| The above amount is asked for to put a granolithic walk through the center of this square which is directly in front of the Deaconess Hospital and which is extensively used; also to build steps, grade, etc.                                                                                       |                 |
| Independence Square, Improvements, South Boston.....                                                                                                                                                                                                                                                 | 2,000           |
| The granolithic walks in a great many cases are dangerous and should be repaired.                                                                                                                                                                                                                    |                 |
|                                                                                                                                                                                                                                                                                                      | <u>\$54,500</u> |

Very respectfully yours,

WILLIAM P. LONG  
Chairman.

Ordered, That the sum of \$54,500 be and hereby is appropriated from the income of the Parkman Fund, to be expended under the direction of the Park Commissioners, for the maintenance and improvement of the Common and Parks in existence on January 12, 1887, as follows:

|                                                      |                 |
|------------------------------------------------------|-----------------|
| Franklin Park, Improvements.....                     | \$25,000        |
| Riverway, Improvements.....                          | 7,500           |
| Marine Park, Improvements.....                       | 10,000          |
| Thomas Park, Improvements, South Boston.....         | 3,000           |
| Massachusetts Avenue, Improvements...                | 2,000           |
| Maverick Square, Improvements, East Boston.....      | 2,000           |
| Longwood Park, Improvements, Roxbury,                | 3,000           |
| Independence Square, Improvements, South Boston..... | 2,000           |
|                                                      | <u>\$54,500</u> |

Referred to the Committee on Parkman Fund.

#### TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,  
Office of the Mayor, September 24, 1927.  
To the City Council.

Gentlemen.—I am in receipt of the accompanying requests for transfers within departmental appropriations and respectfully recommend adoption of the accompanying orders.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Health Department:

From the appropriation for A-1, Permanent Employees, Maids, Nursing (Nurses' Assistants),

5 (2) at \$490 per year; \$1,150.71, to the appropriation for A-1, Permanent Employees, Nurses, 104 (103-106) at \$1,400 per year, \$1,150.71.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Municipal Court, Charlestown District:

From the appropriation for B-13, Communication, \$12.50, to the appropriation for B-12, Bond and Insurance, Premiums, \$12.50.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Board of Examiners:

From the appropriation for D-1, Office, \$5, to the appropriation for B-35, Fees, Service of Venires, etc., \$5.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Medical Examiner, Northern Division:

From the appropriations for D-5, Medical Surgical, Laboratory, \$30, to the appropriation for D-13, Chemicals and Disinfectants, \$30.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Library Department:

From the appropriation for B-39, General Plant, \$6,100; C-7, Furniture and Fittings, \$200, to the appropriation for B-3, Advertising and Posting, \$50; B-12, Bond and Insurance Premiums, \$50; B-28, Expert, \$6,000; C-5, Motorless Vehicles, \$200.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Bridge Service:

From the appropriation for A-1, Permanent Employees, Mechanics, 18 at \$5.50-\$6 per day, \$950; Transmitten, 5 at \$1,600-\$2,000 per year, \$950; C-4, Motor Vehicles, \$750, to the appropriation for A-3, Unassigned, \$1,900; C-17, General Plant, \$750.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Hospital Department, Sanatorium Division:

From the appropriation for C-2, Machinery, \$313, to the appropriation for B-35, Fees, Service of Venires, etc., \$13; E-9, Machinery, \$300.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Ferry Service:

From the appropriation for B-6, Hire of Teams and Auto Trucks, \$50; E-4, Ferries, \$3,000, to the appropriation for B-35, Fees, Service of Venires, etc., \$20; C-7, Furniture and Fittings, \$30; B-39, General Plant, \$3,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Treasury Department:

From the appropriation for A-1, Permanent Employees, Addressograph Operator, 1 at \$1,500-\$1,600 per year, \$456.45, to the appropriation for A-1, Permanent Employees, Clerk, 1 at \$1,400 per year, \$456.45.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Building Department:

From the appropriation for C-4, Motor Vehicles, \$65, to the appropriation for C-9, Office, \$65.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Suffolk County Courthouse, Custodian:



From the appropriation for A-1, Permanent Employees, Janitors, 23 at \$30 per week, \$93.33, to the appropriation for A-2, Temporary Employees, \$93.33.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for District Court of Chelsea:

From the appropriation for B-35 Fees, Service of Venires, etc., \$300; A-1 Permanent Employees, Probation Officer, Juvenile, 1 at \$1,700 per year, \$600; to the appropriation for D-1, Office, \$300; B-28, Expert, \$600.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Municipal Court, City of Boston:

From the appropriation for F-7 Pensions and Annuities, \$100, to the appropriation for B-1, Printing and Binding, \$100.

Referred to Executive Committee.

#### APPROPRIATION FOR TEMPORARY EMPLOYEES.

The following was received:

City of Boston,

Office of the Mayor, September 26, 1927.

To the City Council.

Gentlemen,—I am in receipt of a request from the chairman of the Park Commission for an additional appropriation of \$12,500 to permit the continued employment of sixty-four temporary employees until the beginning of the winter season. These men are chiefly gardener-laborers and because of the many improvements which are now under way in the park system, it would work a hardship on the department to discontinue their services at this time. Under ordinary circumstances the necessary funds would be available for their continued employment, but this year, due to the serious unemployment situation present in the city during the early spring, the appointment of the temporary force in the Park Department was advanced at least six weeks before the regular date for employment of such employees. For this reason, the appropriation for A-2, Temporary Employees, is now practically exhausted. Since there is an urgent need for the continuance of these employees, I respectfully recommend the adoption of the accompanying order providing for the transfer of the desired amount from the Reserve Fund.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, September 15, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—On account of the early appointment of the temporary gardening-laboring force, due to the serious unemployment situation, this department will need \$12,500 on A-2, Temporary Employees, in order to finish the enormous amount of work that has to be done before November 15.

I respectfully request an additional appropriation of \$12,500 in order to retain the services of sixty-four men now temporarily employed.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$12,500, to the appropriation for Park Department, A-2, Temporary Employees, \$12,500.

Referred to Executive Committee.

#### PRESCOTT SQUARE IMPROVEMENT.

The following was received:

City of Boston,

Office of the Mayor, September 26, 1927.

To the City Council.

Gentlemen,—I am advised by the chairman of the Park Commission that an unexpended balance now available in the special appropriation Putnam Square Improvements is no longer required for this item, since the work for which the original

appropriation under this item was made has been completed. It is proposed that this balance be transferred for use in connection with certain improvements that are badly needed in Prescott square. Since both of these public squares are in the same section of the city, I can see no objection to the proposal and I accordingly recommend passage of the accompanying order.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, September 15, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—You are respectfully asked to request the City Council to transfer the sum of \$1,806.50 from the special appropriation, "Putnam Square, Improvements," to an appropriation for Prescott Square, Improvements.

The reason for this request is that as the money is no longer needed for Putnam square it could be used to construct a fence at Prescott square that is very badly needed.

Very respectfully yours,

WILLIAM P. LONG,  
Chairman.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Putnam Square, Improvements, \$1,806.50, to the appropriation for Prescott Square, Improvements, \$1,806.50.

Referred to the Executive Committee.

#### CASTLE ISLAND CAUSEWAY.

The following was received:

City of Boston,

Office of the Mayor, September 26, 1927.

To the City Council.

Gentlemen, I transmit herewith a communication from the Park Department, in reply to my order of September 12, 1927, relative to why the work on the new causeway between Marine Park and Castle Island had been discontinued, and when it will be resumed and the causeway completed.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, September 21, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir, I have your memorandum of September 15, with inclosure, order from the City Council, that the Board of Park Commissioners be requested through his Honor the Mayor, to advise the City Council why work on the new causeway between Marine Park and Castle Island has been discontinued, and when work will be resumed and the causeway completed.

In reply I desire to say that the improvement is completed as far as the appropriation will allow. Further appropriation necessary to continue improvements is being asked for from the Parkman Fund at the present time.

Very respectfully yours,

WILLIAM P. LONG,  
Chairman.

#### VETO—ORDINANCE ON PARK FRONTAGES.

The following was received

City of Boston,

Office of the Mayor, September 23, 1927.

To the City Council.

Gentlemen, I return herewith, without my approval, your ordinance concerning park frontages. Objection is made to this ordinance by the Park Commissioners in a communication under date of September 16, 1927, submitted herewith.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, September 16, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of recent date with copy of City Council order, concerning park frontages which states that:

"Chapter forty of the Revised Ordinances of 1925 is hereby amended in section twenty by striking out the words "Buttonwood Street" in the fifteenth line of said section, and inserting in place thereof the words "Moseley Street."

In reply I desire to say that the Park Commissioners have never been consulted about this change in the ordinances, and wish to object to any changes in Park frontages at present time.

Very respectfully yours,

W. P. LONG,  
Chairman.

Placed on file.

#### PROTECTION OF CHILDREN AT LAMARTINE STREET YARD.

The following was received:

City of Boston,  
Office of the Mayor, September 26, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from Arthur P. Russell, vice president of the New York, New Haven & Hartford Railroad Company in reply to your order of July 25, 1927, relative to the proper protection of children at the Lamartine street yard of the New York, New Haven & Hartford Railroad Company.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Boston, August 31, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

My dear Mr. Mayor,—On August 4 you sent me a copy of an order passed by the City Council on July 25, which requested you to take whatever steps might be necessary to provide for the proper protection of children at the Lamartine street yard of this company.

We at first made an investigation as to whether anything in connection with the operation of the Lamartine street yard or the care of our property was neglected to such an extent that further protection of children seemed necessary.

The freight yard is used by the public and possibly the attraction to the children during the summer months is because ice is unloaded at that point. The freight yard is inclosed with a fence and the gates are closed at night. Our agent frequently is obliged to urge children not to encroach upon this yard because we realize there are elements of danger, but we learn that many of the older ones climb the fence against our prohibition, although it is eight feet in height.

I have asked one of our personal representatives, Mr. Baldwin, to further investigate the matter. He has had a personal interview with Coun. Freely, whom I understand introduced the order. Arrangements have been made for Coun. Freely and Mr. Baldwin to look the situation over and see what further action on our part can be taken to avoid the situation covered by the order referred to.

Yours very truly,

A. P. RUSSELL,  
Vice-President.

Placed on file.

#### ENFORCEMENT OF CITY ORDINANCE.

The following was received:

City of Boston,  
Office of the Mayor, September 23, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Commissioner in reply to your order of September 12, 1927, relative to the enforcement of the provisions of section 40 of chapter 39 of the City Ordinances.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Police Department, September 19, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mayor Nichols,—In the matter of the order of the City Council under date of September 12, that the Police Commissioner, through his Honor the Mayor, be requested to enforce the provisions of section 40 of chapter 39 of the City Ordinances, I wish to state that I have referred the same to the superintendent who has issued orders

to all division commanders to instruct all police officers to strictly enforce this particular section.

I am returning herewith, original order of the City Council, copy of which has been kept for my files.

Yours respectfully,  
HERBERT A. WILSON,  
Police Commissioner.

Placed on file.

#### TRAFFIC OFFICER AT BRIGHAM CIRCLE.

The following was received:

City of Boston,  
Office of the Mayor, September 14, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Department in reply to your order of August 22, 1927, relative to assigning a traffic officer to permanent duty at the junction of Huntington avenue, Tremont street, Calumet street and Francis street, Ward 10, known as Brigham circle.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Police Department,  
Office of the Commissioner, August 30, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—In reply to your communication under date of August 29, relative to order passed by the City Council, August 22, 1927, relative to assigning a traffic officer to permanent duty at the junction of Huntington avenue, Tremont street, Calumet street and Francis street, Ward 10, known as Brigham circle, I beg to inform you that I have had this matter investigated and am forwarding herewith, as a result of such investigation, copy of report of the commanding officer of Division 21.

I am also inclosing herewith said order of the City Council.

Yours respectfully,  
HERBERT A. WILSON,  
Police Commissioner.

City of Boston,  
Police Department,  
Police Station No. 21, September 13, 1927.  
To the Superintendent.

Sir,—In reference to the communication received from W. J. Doyle, Assistant City Clerk, in reference to the request that the Police Commissioner, through his Honor the Mayor, assign a traffic officer to permanent duty at the junction of Huntington avenue, Tremont street, Calumet street and Francis street, Ward 10, known as Brigham circle.

I respectfully report that I will assign a traffic officer at the above location at 8.15 a. m. on Tuesday, September 13, 1927, and will do everything possible to make this location a permanent traffic post.

Respectfully submitted,  
JAMES LAFFEY,  
Captain, Division 21.

Placed on file.

#### PUBLIC LANDING WALK.

The following was received:

City of Boston,  
Office of the Mayor, September 15, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Public Works Department in reply to your order of August 22, 1927, which I referred to the Park Department, and that department's reply is hereto attached, relative to the replacement of the present gravel walk at the public landing, City Point, with a granolithic walk.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
September 8, 1927.  
To the Honorable the Mayor.

I recommend that the attached order of the City Council requesting the construction of a granolithic walk at the public landing, City Point,

be referred to the Park Department, as the area in question is under the control of that department.  
Yours very truly,

J. H. SULLIVAN,  
Commissioner of Public Works.

City of Boston,  
Park Department, September 13, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of September 12, with inclosure, order from the City Council re-uesting the present gravel walk at the public landing, City Point, to be replaced with a granolithic walk.

In reply I regret exceedingly to inform you that we have no funds available at this time. I will be pleased to insert an amount sufficient to do this work in the budget for 1928.

Very respectfully yours,  
WILLIAM P. LONG,  
Chairman.

Placed on file.

#### TRANSFER FOR LONG ISLAND WHARF.

The following was received:

City of Boston,  
Office of the Mayor, September 26 1927.  
To the City Council.

Gentlemen,—I am advised by the Commissioner of Institutions that in order to make the Easterly Wharf at Long Island safe for the landing and handling of the contractors' supplies in connection with the building program authorized under the \$1,000,000 loan, extensive repairs must be made the cost of which has been estimated by the division engineer of the Bridge and Ferry Division to be approximately \$12,000. Since this is a repair or maintenance item it cannot be charged against the loan, and it becomes necessary to provide the required amount from the Reserve Fund. I accordingly submit a transfer order for this purpose and respectfully recommend its passage by your honorable body.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Institutions Department, September 19, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor,—In order to make the Easterly Wharf at Long Island safe for the landing and carting of contractors' supplies for extensive improvements about to be made at Long Island under the \$1,000,000 loan, it has been found necessary to make repairs which the Bridge and Ferry Division estimate will cost approximately \$12,000. (Copy of letter inclosed.)

I respectfully request that said amount be provided by transfer, as the department has no funds available to meet this emergency and contract work must be delayed until the wharf is made safe for heavy loads.

Respectfully yours,  
WILLIAM S. KINNEY,  
Commissioner.

—  
Boston, September 9, 1927.  
Mr. William S. Kinney,  
Commissioner, Institutions Department.  
Dear Sir,—Mr. Cook of this office made an investigation of the East Wharf at Long Island with a view to the possibility that it might be used for carrying eight-ton loads.

The wharf is unsafe for eight-ton loads on account of the very poor condition of the planking and the condition of some of the caps and piles underneath the wharf. The stringers which carry the planking appear to be as a whole in fairly good condition. Mr. Cook was informed that even the one and two horse dump carts that now use the wharf have broken through, although they carry but from one to two tons.

To put this wharf in shape for eight-ton loads would require the driving of some new piling; splicing some of the old piles which might be used over again; refitting some of the spur shores; replanking the whole of the wharf except that adjacent to the coal shed; furnishing and replacing some of the caps under the wharf.

To do this work would cost approximately \$12,000.

Yours very truly,  
JOHN E. CARTY,  
Division Engineer.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$12,000, to the appropriation for Institutions Department, Long Island Hospital, B-39, General Plant, \$12,000.

Referred to Executive Committee.

#### PAYMENT OF BALANCE OF SALARY.

The following was received:

City of Boston,  
Office of the Mayor, September 22, 1927.  
To the Honorable the City Council.

Gentlemen,—I have this day received from the City Auditor a copy of an opinion rendered to him by the Corporation Counsel in which the Corporation Counsel held that the order of your Board passed on August 26, 1927, allowing the widow of John J. Heffernan, late member of the City Council, the remainder of the compensation provided for his term of office, was illegal. I am inclosing a copy of that opinion herewith.

In view of the fact that legislative authority must first be secured, I am asking your body to pass the accompanying order, making assent and approval to the proposed legislation.

Very truly yours,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the City Council of Boston hereby approves the enactment of legislation authorizing the City of Boston to pay to the widow of John J. Heffernan, late member and President of the City Council, the remainder of compensation to which he would have been entitled had he lived and continued to serve until the expiration of his term of office.

Referred to Executive Committee.

#### RUTHERFORD AVENUE WIDENING.

The following was received:

City of Boston,  
Office of the Mayor, September 23, 1927.  
To the City Council.

Gentlemen,—I am advised by the City Planning Board and the Board of Street Commissioners that it is inexpedient to consider at the present time the advisability of widening Rutherford avenue, Charlestown, to a width of one hundred feet.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.  
Placed on file.

#### PETITIONS REFERRED.

The following petitions were received and referred to the Committee named viz.:

Claims.

Alcazar Range and Heater Company, for refund on unused refuse tickets.

Joseph Aufeiro, for compensation for injuries to daughter, Sarah, caused by snow and ice falling from roof of Cushman School.

Back Bay Electric Company, for compensation for damage to property caused by defective sewage.

Mrs. Ralph P. Barker, for compensation for injuries caused by an alleged defect at Dracut street and Dorchester avenue.

Hyman J. Biororski, for compensation for damage to property at 14 Berry street, Roslindale, caused by shutting off water.

Frank G. Bird, for compensation for injuries caused by depression in Silver street.

Umberto Boschetti, for compensation for damage to clothing on South Ferry.

Mary A. Breen, estate of, for compensation for damage to property at 219-231 Rutherford avenue, caused by occupation of roof by Fire Department.

J. M. Brennan & Co., for refund on unused refuse tickets.

Mary Brennan, for compensation for injuries caused by an alleged defect at corner of Cornhill and Tremont streets.

Harold Callahan, for compensation for injuries caused by being struck by city truck.



Chestnut Hill Farm Association, for compensation for damage to automobile by city truck.

Gertrude Coughlin, for compensation for injuries caused by an alleged defect in Stoughton street.

P. W. Coughlin, for compensation for damage to property at 124 D street, caused by backing up of sewage.

Leopoldo DeGruttola, for compensation for damage to truck caused by an alleged defect at 100 Richmond street.

Ellen W. Durkan, for compensation for injuries caused by an alleged defect at corner of Beacon street and Massachusetts avenue.

Estate of Andrew Donavon, for compensation for reimbursement of money paid for water pipe at 75 and 77 Bunker Hill street.

Edith Francis, for compensation for injuries caused by an alleged defect in Spring street, West Roxbury.

George T. Gillen, for compensation for injuries caused while employee in Paving Department.

Frank Gourley, for compensation for injuries caused by an alleged defect in Granite Bridge.

Arthur B. Gradone, for compensation for damage to property caused by blasting at 11 Ransom road, Brighton.

Bertha Green, for compensation for injuries caused by an alleged defect in front of 496 Washington street.

Maurice Holsberg, for compensation for damage to automobile by city team.

Joseph Houle, for compensation for injuries caused by an alleged defect in John J. Williams School Yard.

William T. Hyde, for compensation for damage to automobile caused by an alleged defect in Malden Bridge.

Annette Kinsman, for compensation for damage to clothing while sitting on bench at City Point.

Michael Laffey, for compensation for injuries caused by an alleged defect in Simmons street, Roxbury.

Ellen J. Lally, for compensation for damage to property at 186 Bowen street, caused by backing up of sewage.

Charles Lynch, for refund on building permit.

Charles Malloy, for compensation for damage to automobile caused by an alleged defect in Washington street near Forest Hills.

Harry Moskow, for compensation for damage to property at 268 West Newton street, caused by break in water main.

Margaret T. Mullen, for compensation for damage to property at 142 D street, caused by backing up of sewage.

James A. Murphy, for compensation for damage to property at 18 Marion road, Jamaica Plain, caused by flooding of cellar.

Mary Murphy, for compensation for injuries caused by an alleged defect at 722 East Broadway.

Mrs. E. McAteer, for compensation for damage to property at 144 Tyler street, caused by school children.

James R. McDermott, for compensation for damage to property at 140 D street, caused by backing up of sewage.

Patrick Norton, for compensation for damage to property at 86 Eighth street, caused by backing up of sewage.

Pompei Perullo, for compensation for damage to property at 114 D street, caused by backing up of sewage.

William Peterson, for compensation for property loss caused by fire at Ladder Company 24.

Isaac Sandler, for compensation for damage to property at 13 Albany street, caused by backing up of sewage.

Minnie Silverstein, for compensation for damage to property at 114 Stanwood street, caused by bursting of water pipes.

Sobel Shoe Company, Inc., for compensation for damage to property at 5 Albany street, caused by backing up of sewage.

Jessie Steadman, for compensation for injuries caused by an alleged defect at 52 Dickens street, Dorchester.

John M. Sullivan, for refund on lawyer's fees in case of John M. Sullivan v. City of Boston.

I. M. Taylor, for refund on unused refuse tickets.

Lucille Taylor, for compensation for injuries caused by an alleged defect at 94 Village street.

William J. Thatcher, for compensation for damage to automobile caused by an alleged defect in Granite Avenue Bridge.

Peter H. Tierney, for compensation for damage to property at 140 D street, caused by backing up of sewage.

John J. Ward, for compensation for injuries to horse caused by broken manhole cover at 123 Cottage street.

Edward T. Whitney, for compensation for damage to automobile by city wagon.

Hyman Yaffe, for compensation for damage to property at 35 North street, caused by overflow of sewage.

#### Committee on Jitney Licenses.

Petition of Boston & Brockton Motor Coach Company for license to operate from Milton-Boston line to Park square.

#### PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds for temporary employees from August 22 to September 17, and for regular employees from September 16 to September 30, inclusive, amounting to \$7,651.02 was received and approved.

#### PETITIONS FOR STORAGE AND SALE OF GASOLINE.

Notices were received from the Board of Street Commissioners of hearings on petitions for the storage and sale of gasoline on October 3 and 10, 1927.

Referred to the Executive Committee.

#### REPORT ON TAX RATE.

The following was received:

September 24, 1927.

To the Honorable the City Council.

Gentlemen,—The Finance Commission presents a comparative analysis of the tax rates of 1926 and 1927, showing the total requirements for expenditure and the ways and means other than taxes used to reduce the amount necessary to be raised from the taxpayer. The analysis shows that the 1927 expense requirements for departments under the control of the Mayor have increased over those of 1926. It also shows that, aside from the fact that the valuations of the city on which taxes are assessed have increased this year by more than \$31,000,000, the lower tax rate in 1927 is due principally to three causes: (1) the reduction of \$1,857,821.42 in the school requirements; (2) the increase of \$1,056,693.64 in the estimated ways and means of the city from various sources; and (3) the abandonment by the administration of the pay-as-you-go policy in street resurfacing for the questionable policy of borrowing \$500,000 for the purpose. The analysis further shows that, without taking into account the recommendations of the Finance Commission for reducing the tax rate by the use of a part of the accumulating fund of back taxes, now amounting to over \$5,000,000, if the city authorities had merely adhered to their policy of years past and had continued to include in the available ways and means of the city the amount reimbursed to the city by the Boston Elevated Railway Company, the income tax for prior years, and the corporation taxes received to May 1, the tax rate for 1927 would have been 40 cents less, or \$29.60 instead of \$30.

The following schedule shows the basis on which the tax rate was figured by the city authorities. The expense requirements or warrants, for the years 1926 and 1927, the ways and means deductions adopted for each year, and the overlay are arranged in parallel columns for the purpose of comparison.

| TOTAL WARRANTS.              | 1926.           | 1927.           |
|------------------------------|-----------------|-----------------|
| State.....                   | \$5,118,900 84  | \$5,485,137 83  |
| County.....                  | 3,572,861 21    | 3,500,506 59    |
| City.....                    | 39,740,585 13   | 39,859,239 19   |
| Schools.....                 | 21,695,976 86   | 19,838,155 44   |
|                              | \$70,126,324 04 | \$68,633,039 05 |
| DEDUCTIONS.                  |                 |                 |
| State.....                   | \$3,416,722 54  | \$3,583,185 14  |
| City*.....                   | 5,900,000 00    | 6,589,715 62    |
| Schools.....                 | 1,129,038 52    | 1,331,019 94    |
| Polls.....                   | 482,000 00      | 481,534 00      |
|                              | 10,927,761 06   | 11,985,454 70   |
| Balance.....                 | \$59,200,562 98 | \$56,697,584 35 |
| Overlay.....                 | 1,184,011 25    | 1,275,695 64    |
| Net amount to be raised..... | \$60,384,574 23 | \$57,973,279 99 |

\* Estimated income and cash.

The above schedule, however, does not give a true picture of the comparative expenditure items of the two years. When, after many hearings, the Legislature determined that the city should have a tax limit of 50 cents less on the thousand this year than the limit which the Mayor asked for, it might have been expected that the city authorities would have reduced their proposed expenditures in order to live within the limit fixed by the Legislature. This course was not adopted. The city authorities appropriated for their proposed expenditures from the cash available and estimated income, and from taxes as far as the tax limit allowed, and made up a substantial part of

the rest of their proposed expenditures by borrowing \$500,000. Thus, while in 1925 they had provided \$1,000,000 for street resurfacing out of taxes, this year they provided only \$250,000 from within the tax limit and resorted to borrowing the \$500,000 for this purpose.

A true comparison of appropriations for the two years is shown by the following more detailed schedule, which includes the loan item of \$500,000 for street resurfacing and shows that the administration's comparative appropriation for 1927 is in reality \$40,359,239.19, as compared with the 1926 total of \$39,740,585.

|                                  | APPROPRIATIONS. |                 |
|----------------------------------|-----------------|-----------------|
|                                  | 1926.           | 1927.           |
| Regular City.....                | \$33,701,661 78 | \$34,192,798 75 |
| Loans, Redemption.....           | 3,005,923 35    | 3,526,440 44    |
| Retirement Fund.....             | 1,583,000 00    | 1,655,000 00    |
| Parkways.....                    | 75,000 00       | 25,000 00       |
| Bridges.....                     | 125,000 00      | 100,000 00      |
| Ferries.....                     | 60,000 00       | 25,000 00       |
| Sidewalks.....                   | 50,000 00       | 50,000 00       |
| Streets.....                     | 1,000,000 00    | 250,000 00      |
| East Boston Pumping Station..... | 65,000 00       |                 |
| Oakland and Ashland Streets..... | 50,000 00       |                 |
| River Street.....                | 25,000 00       |                 |
| Street Signs.....                |                 | 25,000 00       |
| Morton Street.....               |                 | 10,000 00       |
| Permanent Street Pavement †..... |                 | 500,000 00      |
|                                  | \$39,740,585 13 | \$40,359,239 19 |

† By loan.

A further analysis of the foregoing items shows that in the city appropriations for 1926, items over which the Mayor had no control were Redemption of Loans, Retirement Fund, East Boston Pumping Station, Oakland and Ashland Streets, and River Street. These items made a total

of \$4,728,923.35, and deducted from the total city appropriations of that year left a balance of \$35,012,661.78 submitted by the Mayor for departmental purposes. In the 1927 list items over which the Mayor had no control were the Redemption of Loans, Retirement Fund and

Morton Street, making a total of \$5,191,440.40. This sum deducted from the total city appropriations for 1927, including the \$500,000 for street resurfacing, left a balance submitted by the Mayor for departmental purposes of \$35,168,798.75. Thus for comparative purposes the Mayor in 1927 submitted for departmental purposes \$156,136.97 more than in 1926.

The items of ways and means, which the city authorities failed to include as a credit to reduce the tax levy this year, although used for that purpose in prior years, are as follows:

|                                                        |                     |
|--------------------------------------------------------|---------------------|
| Boston Elevated reimbursement.....                     | \$43,924 21         |
| Income taxes of other years received to August 12..... | 436,849 00          |
| Corporation taxes received to May 1.....               | 217,852 13          |
|                                                        | <u>\$698,625 34</u> |

It therefore appears from these unused items that the taxpayers were entitled to one of two things: (1) to have the pay-as-you-go policy continued for street repairs, or (2) to have the three items mentioned above used to reduce the tax rate from \$30 to \$29.60.

Respectfully submitted,  
THE FINANCE COMMISSION,  
by CHARLES L. CARR,  
Chairman.

Placed on file.

#### EXTENSION OF TIME.

Notice was received from the Board of Street Commissioners that the time for completion of the work of locating a single track in Cambridge street, Boston, being the 48th location granted to the Boston Elevated Railway Company, was extended to August 6, 1928.

Placed on file.

#### APPROVAL OF CONSTABLES' BONDS.

The constables' bonds of William H. Robinson and John A. Wragg, having been duly approved by the City Treasurer, were received and approved.

#### APPROVAL OF APPOINTMENT OF LIBRARY TRUSTEE.

Notice was received of the approval by the Civil Service Commissioner of appointment of Clifton H. Dwinell to the position of Library Trustee.

Placed on file.

#### SALE OF UNCLAIMED BAGGAGE.

A petition was received from the New York, New Haven & Hartford Railroad for leave to sell at auction on October 25, 26 or 27, 1927, at the Boston Freight Terminal, unclaimed baggage and other articles.

Referred to the Committee on Unclaimed Baggage.

#### APPOINTMENT OF RAILWAY POLICE OFFICERS.

Notice was received of the appointment by the Mayor of Cambridge upon petition of the Boston Elevated Railway Company, of John B. Gurry and Benjamin E. Gaston as street railway police officers.

Placed on file.

#### APPROVAL OF LICENSES.

Applications for licenses to thirty-four newsboys and fifteen vendors were received and approved.

#### CONNECTION BETWEEN ST. ANN AND WASHINGTON STREETS.

Coun. GUILD offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to estimate the cost of connecting St. Ann street with Washington street under the West Roxbury branch of the New York, New Haven & Hartford Railroad in Ward 19.

Coun. GUILD—Mr. President, within the past week, a representative of the Traffic Survey Board has made the statement to the Board of Street Commissioners that the worst place they have found in Boston for traffic was Forest Hills square. Many people have been under the impression that the worst traffic spot in Boston was at Governor square. Having that in mind, and having in mind the serious difficulties which traffic of all kinds encounters, not only from the overhead bridge of the New Haven Railroad, but from the overhead structure of the Boston Elevated Railway, I have introduced this order, asking for an estimate of the cost of a further bridge under the New Haven Railroad tracks between St. Ann street and Washington street, in order to afford direct communication from the north to Washington street leading to Roslindale, West Roxbury and points south. I ask for suspension of the rule and the passage of the order.

The order was passed under suspension of the rule.

#### CONNECTION BETWEEN ARCHDALE ROAD AND ASHMORE STREET.

Coun. GUILD offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to estimate the cost of connecting Archdale road and Ashmore street under the main line of the New York, New Haven & Hartford Railroad in Ward 19.

Coun. GUILD—Mr. President, Ward 19, of this city is divided into two parts by a structure which, in many ways, is more insurmountable than the famous Chinese wall. It is a raised embankment upon which the main line of the New York, New Haven & Hartford Railroad Company passes. At infrequent points this structure is pierced by streets, and any further piercing by streets will work a great benefit to the district by affording a chance to tie it more closely together. The point at which the connection mentioned in the order which I have introduced is located is in a stretch which is farther than the distance from Boston City Hall to the Boston Public Library, a stretch which, as it now stands, is impassable going from half of the ward lying on one side to the part lying on the other. I move the suspension of the rule and the passage of the order.

The rule was suspended and the order passed.

#### MORTON STREET WIDENING.

Coun. WILSON offered the following:

Ordered, That both the Board of Street Commissioners and the Commissioner of Public Works, through his Honor the Mayor, advise the City Council forthwith, not in sketchy outline, but in detail:

1. What work in each department has been completed, and what remains to be done for the planning, laying out, widening and construction of Morton street, Dorchester, from Codman street to Druid street and from Druid street to Washington street, as authorized by chapter 325 of the Acts of 1925.

2. What sum of money is necessary for the completion of each section, including sewers and surface work.

3. What sum of money is now available for such work.

4. The present policy and purpose of the department with reference to prompt completion of the work.

5. Whether actual completion of Morton street has been temporarily abandoned for any reason, and if so, for what reason.

Coun. WILSON—Mr. President, at the first actual business meeting of the present City Council at which I ever sat, back in January, 1926, I introduced this order:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to inform the City Council as to what work, if any, is being done in connection with the laying out of Morton street, Dorchester, particularly with reference to the amount of appropriation that has been made, the amount of appropriation that has been expended, and the balance remaining unexpended."

Six months later, after the filing of Coun. Guild's famous list of thirty odd interrogatories, the



Council received certain information on the Morton street project to the effect that, while the first section from Morton street to Canterbury street was practically progressing, additional money would be necessary for the balance of this artery. During the past year I have introduced various orders, supplemented by personal requests for some real progress towards the completion of Morton street. I am recently informed that plans for rough grading are completed for the entire remaining stretch from Washington street to Druid street but that the sewer plans are not ready except between Washington street and Codman street. Also I am variously informed that money is, and money is not, available for the actual completion of the work. I certainly was under the impression that our loan order of May 11 at least took care of all the expense between Codman and Druid streets. If, as has been rumored, the city is temporarily abandoning the project for more important work in other sections of the city, then the people of Dorchester wish that information at this time. We have waited long enough for our turn and do not intend to pass it up, especially in view of the figures exhibited on page 44 of the City Auditor's report as of September 1, showing \$269,000 as balance unexpended plus half a million dollars in loans authorized but not yet issued.

The rule was suspended and the order passed.

#### RESURFACING RIVER STREET, WARD 17.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works be and he hereby is requested, through his Honor the Mayor, to provide for the resurfacing of River street, Ward 17.

The rule was suspended, and the order passed.

#### LAYING OUT CLEMENT PARK, WARD 17.

Coun. WILSON offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to assess and lay out as a public highway in Ward 17, Clement park, sometimes known as Clementine park, from Centre street to Dayton street.

The rule was suspended, and the order passed.

#### LAYING OUT SHARP STREET, WARD 17.

Coun. WILSON offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public highway in Ward 17, Sharp street, from Allston street to the line of the new Dorchester Tunnel.

Coun. WILSON—Mr. President, with reference to this last order, namely, for the acceptance of a short stretch known as Sharp street, which is a narrow way running from Allston street, Dorchester, to the line of the new tunnel, where one of the voting booths is now located, I have asked the Transit Commission as to the possibility of making an entrance from the Sharp street side to enable the people on the Washington street side of the Dorchester Tunnel to go straight through Sharp street to take their trains, particularly in stormy weather, rather than going down Sharp street, turning and going down two or three blocks in order to get on the train. The Transit Commission tells me that, if the Board of Street Commissioners will accept this little, short stretch of about 100 yards, they will make an entrance to the Shawmut Station off Sharp street, Washington street side of the tunnel, which is an absolute necessity; and, accordingly, I press the passage of this order at this time and the acceptance of the street by the Board of Street Commissioners prior to the completion of the tunnel.

The order was passed under suspension of the rule.

#### REMOVAL OF EDISON COMPANY'S POLES.

Coun. WILSON offered the following:

Ordered, That the Transit Commission, through His Honor the Mayor, be requested to revise any

instructions given the Edison Company requiring complete removal of poles from the line of the new Dorchester Tunnel through private property adjacent thereto.

The order was referred to the Executive Committee.

#### ADDITIONAL POLICE PROTECTION.

Coun. WILSON offered the following:

Ordered, That the Police Commissioner, through His Honor the Mayor, advise the City Council whether, in addition to the 300 new patrolmen admitted to the force during 1926 and 1927, more police officers are actually required, not only for adequate police protection in the residential districts of the city, but particularly for traffic relief throughout the city.

Coun. WILSON—Mr. President, with reference to this order I have been requested to put that in for the reason that, notwithstanding the recent safety drive, I have been informed over fifty-three people have been killed and over 1,500 injured on the streets of Boston,—presumably one of the reasons being that we are short of traffic officers in the Police Department. Accordingly, I request the suspension of the rule and the passage of the order.

Passed under suspension of the rule.

#### DOCKING CITY EMPLOYEES' PAY.

Coun. WILSON offered the following:

Ordered, That the Park Commissioners, through his Honor the Mayor, advise the City Council forthwith whether, on August 25, employees of the Cemetery Division of the Park Department not attending the outing of the department at Castle Island were docked a day's pay as distinguished from men who attended the outing or bought tickets to the outing and did not attend but were given the day off.

Passed under suspension of the rule.

#### TERMINATION OF DORCHESTER GARBAGE CONTRACT.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be and hereby is respectfully requested to declare at an end the present contract for the collection of ashes and garbage in the Dorchester district, in view of the repeated breach of the conditions of said contract, particularly with reference to the general collection of both ashes and garbage at least once a week throughout the year and the collection of garbage at least twice a week during the months of June, July and August.

Coun. WILSON—Mr. Chairman, I am going to ask that that order be referred to the Executive Committee because I am sure the councilors in the Dorchester district are intensely interested in that particular question. I understand that, under the terms of this contract, it can be a breach of the contract, not only persistently but once, to not make at least one collection of ashes and garbage per week. There are streets in my district where the garbage has not been collected from one end of the ward to the other for three weeks at a stretch, and I am simply asking that this be referred to the Executive Committee. I want that contract canceled on that ground.

Referred to the Executive Committee.

#### REPAVING STREETS IN WARD 9.

Coun. WARD offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to repave with smooth paving the following streets in Ward 9, viz.: Havard street, Regent street, Lambert avenue, Lambert street, Ray street.

The rule was suspended and the order passed.

#### SIDEWALK ON GRANGER STREET WARD 15.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Granger street,

from Duncan street to Clayton street, both sides, Ward 15, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

The rule was suspended and the order passed.

#### LAYING OUT FOX STREET, WARD 15.

Coun. McMAHON offered the following:

That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Fox street, from Percival street to Mount Ida road, Ward 15.

The rule was suspended and the order passed.

#### REPAVING BORDER STREET, EAST BOSTON.

Coun. DONOVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to include in his annual budget for 1928 a sum sufficient to provide for the repaving of Border street, from Central square to Condor street, and Sumner street, its entire length.

The rule was suspended and the order passed.

#### LAYING OUT BAYSWATER STREET, EAST BOSTON.

Coun. DONOVAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to include in their budget for 1928 a sum sufficient to provide for the acceptance and laying out of Bayswater street, East Boston, from Wauppello road to the end, and St. Andrew road from Wauppello road to the end.

The rule was suspended and the order passed.

#### REPORTS OF COMMITTEE ON JITNEY LICENSES.

Coun. DOWD, for the Committee on Jitney Licenses, made the following reports:

1. Report on petition of Midway and Dedham Bus Line, Inc. (referred August 22), for license to operate two motor vehicles from the Dedham-Boston line and Spring street to Park square—that the same ought to pass.

Report accepted; said license granted.

2. Report on petition of Boston Motor Tours, Inc. (referred August 22), for a license to operate four buses from the Milton-Boston line to the Forest Hills Elevated Station—that the same ought to pass.

Report accepted; said license granted.

3. Report on petition of Boston Elevated Railway Company (referred August 22) for a license to operate bus route between Granite Bridge Station, Neponset, and the new Fields Corner Station—that the same be granted.

Reported accepted; said license granted.

4. Report on petition of Boston Elevated Railway Company (referred August 22) for a change in route of his operation between Park square and North Station—that the same be granted.

Coun. RUBY—Mr. Chairman, may I be informed, through you, what the present route is and what the proposed route is going to be?

Coun. DOWD—The chairman of this committee, being absent, requested me to present these reports. It is simply a change of route along Causeway street. I believe that Coun. Fitzgerald was interviewed in reference to this by the chairman, and probably Coun. Fitzgerald can state just what the change is.

Coun. FITZGERALD—Mr. Chairman, I am simply satisfied with the change in the route. There are no objections on my part.

Chairman DOWLING—The Chair understood that there was no material change in the route.

The report was accepted; said license granted.

Coun. BUSH—Mr. Chairman, what I am about to say has no particular reference to these orders just passed, but it has come to my attention that

some of these out-of-town motor tours people that ask for jitney licenses to go through the city will not give employment to Boston men on their buses. I think before we grant any of those licenses we ought to ascertain whether that fact is true.

Coun. DOWD—Mr. Chairman.

Chairman DOWLING—For what purpose does the gentleman rise?

Coun. DOWD—To reply to the counselor who has just spoken, if there is no objection. I simply want to state that, when those gentlemen were before the Committee on Jitney Licenses, Coun. Ward said, after questions were put by him to those gentlemen in reference to the employment of Boston men, that they actually agreed and promised the Committee on Jitney Licenses that any men hired would be Boston citizens.

#### RECESS.

On motion of Coun. McMAHON, the Council voted, at 2.50 p. m., to take a recess, subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by Chairman DOWLING at 4.05 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following:

1. Report on order (referred September 12) that the Health Commissioner be authorized to sell a quantity of equipment and apparatus belonging to the Health Department, valued at over \$500—that the same ought to pass.

Coun. GUILD—Mr. Chairman, the order which is before us was introduced at the last meeting of the Council, September 12, 1927. In introducing it, his Honor the Mayor sent a letter in which he said: "I am herewith transmitting a communication from the Health Commissioner relative to the sale of a quantity of equipment and apparatus, the property of the Health Department, and I recommend the passage of the accompanying order." The letter accompanying it read: "I respectfully request your authorization to the disposition by sale of certain property of this department purchased by the city for use of the Conservation Division of the Health Department, and which no longer can be used. The value of this equipment and apparatus exceeds \$500." There is nothing in either the Mayor's letter or the letter of the Health Commissioner or the order to tell us what the apparatus is which it is proposed to sell at this time. I have it in mind that the appropriations which have been made from time to time for the Conservation Bureau, which is now a part of the Health Department, amount in all to \$15,000, and we have no information as to how much or how little of the apparatus and material belonging to the Conservation Bureau of the Health Department it is now proposed to sell. The only information we are given is that it is valued "at over \$500." Whether it is worth \$5,000 or \$15,000 we are not told; the only thing we are told is that it is worth "over \$500." Accordingly, upon my motion, the order was laid upon the table by the Executive Committee at the last meeting, and thereafter I wrote to Doctor Mahoney the following letter under date of September 16, 1927:

"Dr. Francis X. Mahoney, Health Commissioner, City Hall Annex, Boston, Mass.

Dear Doctor Mahoney,—An order of the Mayor accompanied by a letter from you to him requesting leave to sell certain material and apparatus belonging to the Health Department is pending before the City Council. Upon my motion it was laid upon the table at the last meeting. My reason for doing this was that neither your letter nor the Mayor's order states what the material is which it is proposed to sell. The next meeting of the City Council is to be held September 26, and I should appreciate having information before that date.

Yours very truly,"

In reply to this letter I received the following from the Health Commissioner, under date of September 17, 1927:

"Dear Mr. Guild,—Your letter of the 16th inst. has been received. In reply thereto, I would state



that a list of material and apparatus which it is proposed to sell was sent to the office of the Mayor. I am inclosing herewith a copy of letter from Prof. W. T. Bovie, which is self-explanatory.

Yours very truly,  
F. X. MAHONEY,  
Health Commissioner."

The inclosure is as follows:

"Biophysical Laboratories of the Cancer Commission of Harvard University,  
695 Huntington Avenue,  
Boston, September 13, 1927.

Dr. F. X. Mahoney, Public Health Department,  
Boston.

My dear Doctor Mahoney,—It is necessary for me to withdraw the offer for the purchase of the apparatus which has been in use in my laboratory. Because of the indefinite postponement of action by the Council, it will be impossible for me to include it in a shipment of other equipment. The city apparatus is second-hand and if I have to add to my offer the expense of separate shipment and handling, it will be to my advantage to purchase new material which I can do in Chicago when I arrive and so I hereby withdraw my offer.

The turn of events is more unfortunate for the city than for me because the apparatus is of very little value to any one not engaged in my line of work.

Very truly yours,  
W. T. BOVIE."

I am still in absolute darkness as to what the apparatus and materials consist of. I know not what apparatus and material Doctor Bovie has in his laboratory, and I am unable to gather from the Health Commissioner's reply what the apparatus and material which it is proposed to sell is. The only information that is given to the City Council up to the present moment is that at some time, the Health Commissioner transmitted to the Mayor's office a list of apparatus and material which it was proposed to sell. The City Council is entirely unable to form any judgment of any sort whatever in regard to the value of this apparatus; and to put an upset price of \$500 upon it, if that is the interpretation which is to be placed upon the order when it says it is worth more than \$500, is not sound common sense. We should be told what the apparatus is in order that we may exercise our reasoning facilities and form some kind of judgment as to the proper upset price to insert in this order. I question very strongly whether, in the language of the order, \$500 could be interpreted as an upset price, in any event. All that it says is that it is of the value of at least \$500—"valued at over five hundred dollars." If the material were sold for \$400, I do not believe that it could be stated definitely and beyond peradventure that the order had been violated. I think that the language of the order, in saying, "after public advertisement" is somewhat misleading. Saying "after public advertisement" is not the same as saying "to sell at public auction," and simply to state in the order that it is of the value of more than \$500 is not stating that it shall be sold at public auction at the upset price of \$500. This order before it is passed should be put in perfectly definite, plain terms, so that there may be no misunderstanding whatever in regard to what is wanted by this order. I am satisfied, if I can be told what the material and apparatus is that it is proposed to sell, to pass an order authorizing its sale at public auction at an upset price, in terms that are unequivocal and which cannot be misunderstood. I hope that the order will not pass.

The report was accepted; said order passed.

Coun. GUILD—I doubt the vote.

The Chair calling for a show of hands, the vote was ratified, 12 to 3.

2. Report on the order (referred today) that the Transit Commission revise instructions given Edison Company requiring moving of poles from line of new Dorchester Tunnel to private property adjacent thereto—that the same ought to pass.

Report accepted; said order passed.

3. Report on order (referred today) that the present contract for the collection of ashes and garbage in the Dorchester district be revoked because of numerous breaches of the same—that the same ought to pass.

Report accepted; said order passed.

4. Report on order (referred today) that the City Council approve enactment of legislation authorizing the City of Boston to pay to the widow of John J. Heffernan, late member and

President of the City Council, the remainder of compensation to which he would have been entitled had he lived and continued to serve until the expiration of his term of office—that the same ought to pass.

Coun. GILBODY—Mr. Chairman, I want to say, in furtherance of my remarks before the Executive Committee as to the custom in the House of Representatives and Senate in designating widows to take the compensation of members who have deceased, that I am informed that it is not possible to do that under the charter, and therefore I cannot follow that idea up.

Report accepted; said order, on motion of Coun. KEENE, unanimously adopted by a rising vote.

5. Report on order (referred today) transferring unexpended balance of \$1,806.50 in special appropriation, Putnam Square, Improvements, for use in connection with Prescott Square, Improvements—that the same ought to pass.

Report accepted; said order passed; yeas 17, nays 0.

6. Report on order (referred today) transferring sum of \$2,343.79, balance, special appropriation, Highland Park, Improvements, to an appropriation for Franklin Square and Blackstone Square, Improvements—that the same ought to pass.

Report accepted; said order passed; yeas 17, nays 0.

7. Report on order (referred today) transferring \$12,500 from Reserve Fund to Park Department, A-2, Temporary Employees—that the same ought to pass.

Report accepted; said order passed; yeas 17, nays 0.

8. Report on requests for transfers within departmental appropriations and orders thereon (referred today)—that the same ought to pass.

Report accepted; said orders passed; yeas 17, nays 0.

#### CONFIRMATION OF APPOINTMENTS.

Chairman DOWLING called up No. 1, under unfinished business, viz.:

1. Action on appointments submitted by the Mayor, September 12, 1927, of Rose A. Clancy and Pauline Kaplan to be Weighers of Coal and Harry Carpino, Mary G. Brooks and Howard Smith, to be Weighers of Goods.

The question came on confirmation. Committee, Coun. Fitzgerald and Guild. The appointments were confirmed, yeas 16, nays 0.

Coun. GILBODY, for the Executive Committee, called up, under Nos. 2 and 3, unfinished business, appointment of John J. Bavis, William E. Elton and Harry Kahn, to be Constables.

The question came on confirmation. Committee, Coun. Wilson and Green. The appointments were confirmed, yeas 16, nays 0.

#### RESURFACING CAMBRIDGE STREET, CHARLESTOWN.

Coun. GREEN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Cambridge street, Charlestown.

Passed under suspension of the rule.

#### RESURFACING BUNKER HILL STREET.

Coun. GREEN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Bunker Hill street, from Fay square to Chelsea street, Charlestown.

Passed under suspension of the rule.

#### REPAVING K STREET, WARD 6.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving K street, from Third street to Broadway, Ward 6.

Passed under suspension of the rule.



## LOAN FOR WEST END PARK.

Coun. FITZGERALD offered the following:

Ordered, That the sum of \$200,000 be and the same is hereby appropriated, to be expended under the direction of the Park Commission, for the purchase of land for park purposes in the West End section of Ward 3, and that to meet said expense the City Treasurer be authorized to meet, from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

SIDEWALKS ON HOLMFIELD AVENUE,  
WARD 18.

Coun. WRAGG offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along both sides of Holmfield avenue, from River street to the Neponset River reservation, Ward 18, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

## SIDEWALK ON COLUMBIA ROAD.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along the Pond street side of 755 Columbia road (edgestone only), Ward 7, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

## SIDEWALK ON PILGRIM ROAD.

Coun. ARNOLD offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Pilgrim road, both

sides, from Short street to Brookline avenue (edgestone only), Ward 4, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

## LAYING OUT BAYSWATER STREET.

Coun. DONOVAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to include in their budget for 1928 a sum sufficient to provide for the acceptance and laying out of Bayswater street, East Boston, from Waupello road to the end, and St. Andrew road, from Waupello road to the end.

Passed under suspension of the rule.

## REPAVING BORDER STREET.

Coun. DONOVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to include in his annual budget for 1928, a sum sufficient to provide for the repaving of Border street, from Central square to Condor street, and Summer street, its entire length.

Passed under suspension of the rule.

## GENERAL RECONSIDERATION.

On motion of Coun. BUSH, general reconsideration of all action taken today was refused.

## ADJOURNMENT.

Adjourned at 4.25 p. m., on motion of Coun. PARKMAN, to meet on Monday, October 3, 1927.

## CITY OF BOSTON.

## Proceedings of City Council.

Monday, October 3, 1927.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., Chairman DOWLING presiding and all the members present.

## JURORS DRAWN.

Jurors were drawn, in the manner prescribed by law, the Mayor absent, as follows:

Twenty additional traverse jurors, Superior Civil Court, Fourth Session, October Sitting, to appear October 10, 1927:

Clarence D. Cooke, Ward 1; George J. Faulkner, Ward 1; Frank S. Jelley, Ward 1; William D. Chrisholm, Ward 4; James M. Devlin, Ward 4; Horace J. Tryon, Ward 4; Oscar S. Bauer, Ward 5; Charles L. Helmboldt, Ward 5; Thomas C. Stretch, Ward 8; James H. Hardiman, Ward 9; Hugh McLaughlin, Ward 10; Charles Hennrikus, Ward 11; George Patrick Raleigh, Ward 11; George J. Carter, Ward 12; John S. Edwards, Ward 15; Matthew F. O'Brien, Ward 15; Stephen P. Topalian, Ward 16; Joseph Bleischwitz, Ward 19; Francis F. Black, Ward 20; Harold S. D'Entremont, Ward 20.

Twenty-eight traverse jurors, Superior Civil Court, First Session, October Sitting, to appear November 7, 1927:

Thomas J. Burke, Ward 1; George W. Gray, Ward 4; Evans Dick, Jr., Ward 5; James W. Gargan, Ward 5; Joseph M. Heffernan, Ward 7; Florence J. McCarthy, Ward 8; Lewis McSwain, Ward 8; Burnett H. Jones, Ward 9; James W. Timilty, Ward 9; William T. O'Sullivan, Ward 10; John L. Thorpe, Ward 10; Joseph E. Crandall, Ward 11; Alfred C. McDonald, Ward 11; Caspar C. Schreider, Ward 11; Benjamin Brooker, Ward 14; William Burge, Ward 15; Thomas F. McGrail, Ward 16; Joseph H. Ryan, Ward 16; Benjamin F. Drake, Ward 17; John Healey, Ward 17; Daniel McNeil, Ward 17; William J. Sullivan, Ward 17; John J. White, Ward 17; Morris Breen, Ward 18; Richard C. Cartwright, Ward 18; Edward J. Kelly, Ward 19; Samuel Kingston, Ward 21; Louis Martinello, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Second Session, October Sitting, to appear November 7, 1927:

Edward Fahey, Ward 1; Fred Serocco, Ward 1; William Thomas, Ward 1; James A. McCree, Ward 2; Emmett D. Anderson, Ward 4; Bernard J. Dolan, Ward 8; Joseph F. Collins, Ward 9; Joseph E. West, Ward 9; August J. Vatter, Ward 10; Joseph F. Finnegan, Ward 11; Heber C. Troop, Ward 11; Hans C. Albertsen, Ward 12; Andrew J. Doyle, Ward 13; Emery F. York, Ward 13; Arthur J. Cully, Ward 14; William F. O'Neil, Ward 14; Jacob Rubenstein, Ward 14; George L. McKenna, Ward 16; John G. Dunphy, Ward 17; Roscoe M. Hersey, Ward 17; Clarence M. Derr, Ward 18; Stephen H. Donley, Ward 18; Victor J. Fox, Ward 18; John J. Dolan, Ward 19; John W. Suplee, Ward 19; Charles H. Chase, Ward 20; James P. Spillane, Jr., Ward 22; Thomas F. White, Ward 22.

Twenty-four traverse jurors, Superior Civil Court, Third Session, October Sitting, to appear November 7, 1927:

James McArdle, Ward 1; Joseph H. Perong, Ward 5; Alfred Anton, Ward 7; Martin B. Downey, Ward 10; Anthony A. Eldracker, Ward 10; Henry Keller, Ward 10; William F. Godvin, Ward 11; Frank J. McCann, Ward 11; Terrance F. Morris, Ward 11;

Fred T. Vincent, Ward 11; Bernard E. Levin, Ward 12; John H. Smith, Ward 12; Carl Hintze, Ward 13; Benjamin Cohen, Ward 14; Jacob Thurman, Ward 14; John J. Burke, Ward 15; Thomas H. Walsh, Ward 17; Raymond C. Sullivan, Ward 19; Henry J. Gramer, Ward 20; Oscar Johnson, Ward 20; Winfield S. Reid, Ward 20; Francis G. Howard, Ward 21; Edward F. Clasby, Ward 22; Alfred L. O'Brien, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Fourth Session, October Sitting, to appear November 7, 1927:

Charles H. Smith, Ward 2; Joseph White, Ward 3; William T. Aldrich, Ward 5; William Coombs Codman, Ward 5; Philip C. Lundin, Ward 5; Edward F. Nixon, Ward 5; John O'Sullivan, Ward 6; James F. Willey, Ward 7; Ernest H. DeYoung, Ward 9; John J. Tobin, Ward 10; Charles H. Backoff, Ward 12; Joseph A. Levin, Ward 12; Eugene Murphy, Ward 12; Fred Becker, Ward 14; Charles H. Carlson, Ward 14; James Eisenberg, Ward 14; Donald C. Welsh, Ward 14; George H. Curtin, Ward 15; Emel Erickson, Ward 16; Thomas W. Mahoney, Ward 17; Michael O'Neill, Ward 17; Franklin C. Fogg, Ward 18; Ralph J. Murdock, Ward 18; Earle H. Simpson, Ward 18; Charles D. Taber, Ward 18; Edmund W. Driscoll, Ward 19; Joseph Stafford, Ward 20; Alfred G. Belluche, Ward 22; James F. Carroll, Ward 22.

Twenty-nine travers jurors, Superior Civil Court, Fifth Session, October Sitting, to appear November 7, 1927:

Frank Johnson, Ward 1; Aubrey F. McDonald, Ward 1; Leo J. Ferretti, Ward 2; Anthony Angelone, Ward 3; Frank A. Connors, Ward 5; Oliver C. Hess, Ward 5; Barnett Nelson, Ward 5; William F. Shaw, Ward 5; John F. Fallon, Jr., Ward 9; Daniel J. Shea, Ward 10; Patrick J. Biesty, Ward 11; Joseph Gersbach, Ward 11; Arvid W. Anderson, Ward 12; Morris B. Silverman, Ward 12; Charles C. Buckley, Ward 13; Thomas H. Kane, Ward 13; Thomas F. McAndrews, Ward 16; Ralph H. Trask, Ward 16; Louis Hawks, Ward 17; Joseph F. Phelan, Ward 17; Stephen Donley, Ward 18; Carl P. Nielsen, Ward 18; William T. Taylor, Ward 18; Frank J. Vinton, Ward 18; Herbert O. Hodgkins, Ward 20; Walter F. Spear, Ward 20; Harold R. Bates, Ward 21; James E. McIntyre, Ward 21; Alvin C. Wiederhold, Ward 21.

Twenty-four traverse jurors, Superior Civil Court, Sixth Session, October Sitting, to appear November 7, 1927:

William H. Andrew, Jr., Ward 1; Bernard J. McAlevy, Ward 2; George E. Bent, Ward 4; James J. Casserly, Ward 4; John D. Campbell, Ward 5; John A. Curran, Ward 7; Thomas Meehan, Ward 7; Frederick C. Matthews, Jr., Ward 10; Martin G. Reynolds, Ward 10; Jeffrey McGrath, Ward 12; Patrick J. Casey, Ward 13; Arthur T. Keenan, Ward 13; Isadore H. Cohen, Ward 14; George E. Emerson, Ward 14; Simon Katz, Ward 14; Howard L. Hincley, Ward 15; James J. Lyon, Ward 15; William F. O'Connell, Ward 15; Arthur L. King, Ward 17; Fred W. Small, Ward 17; Fred A. Downey, Ward 18; Herman Detzer, Ward 20; Simon E. Lewis, Ward 21; John F. Doherty, Ward 22.

Twenty-six traverse jurors, Superior Civil Court, Seventh Session, October Sitting, to appear November 7, 1927:

Michael Carolin, Ward 2; John H. B. Coyne, Ward 2; John A. Gaines, Ward 4; J. Urban Edgren, Ward 5; Simon E. Hecht, Ward 5; Frederick W. Jacobs, Ward 5; Frank W. Malone, Ward 6; Andrew J. Murphy, Ward 8; Michael A. Kelleher, Ward 10; Joseph A. Delaney, Ward 11; Ferdinand DeLang, Ward 11; Harry Bachner, Ward 12; Frank T. Ingraham, Ward 12; John C. Hampe, Ward 13; Frederick Kern, Ward 13; Joseph H. Moore, Ward 13; Abraham E. Simon, Ward 14; Herbert E. Stockman, Ward 14; Daniel J. Donaher, Ward 15; Charles A. Hennessey, Ward 15; Salvatore

Sottile, Ward 17; Andrew W. Shepherd, Ward 18; Silas E. Smart, Ward 18; Julian M. Pulsifer, Ward 19; George S. Gibbs, Ward 20; Edward Pike, Jr., Ward 20.

Forty traverse jurors, Superior Criminal Court, First Session, to appear November 7, 1927:

Charles M. Dempsey, Ward 1; George H. Goodrich, Ward 1; John Carbone, Jr., Ward 3; John F. Harrigan, Ward 3; Charles M. Williams, Ward 3; Henry W. Bird, Ward 5; Harold Howard, Ward 5; William J. Noonan, Jr., Ward 5; John A. Kiley, Ward 6; Hugh Lockhart, Ward 6; Timothy J. McCarthy, Ward 6; Budd C. Earl, Ward 8; Peter Swanson, Ward 8; Fred E. Crowell, Ward 9; Thomas F. Ryan, Ward 9; J. Albert Wisentaner, Ward 9; Michael F. Buckley, Ward 10; James Foley, Ward 10; Joseph C. Foster, Ward 10; William J. Ackroyd, Ward 11; Frederick L. Barry, Ward 11; John T. Foster, Ward 11; Eugene J. Wetzler, Ward 11; Samuel Goldberg, Ward 12; Barnet Kaplan, Ward 12; Samuel O. Simpson, Ward 12; Benjamin F. Buckley, Ward 13; Abraham Recht, Ward 14; William E. Wight, Ward 14; Daniel J. Duggan, Ward 15; John J. O'Brien, Ward 15; Willard F. DeLue, Ward 16; Edward L. Locke, Ward 16; Daniel J. Keleher, Ward 19; Michael J. Shea, Ward 19; Theodore Gerloff, Ward 20; Otis T. Lockhart, Jr., Ward 20; Henry E. Robert, Ward 20; John P. Doherty, Ward 22; Daniel Donnelly, Ward 22.

Sixteen traverse jurors, Superior Criminal Court, Second Session, to appear November 7, 1927:

Frederick L. Doyle, Ward 1; Edward F. Cooney, Ward 4; John J. Lentz, Ward 10; Michael Wielgus, Ward 12; Mayer J. Pinkofsky, Ward 14; James B. McCarthy, Ward 16; Timothy Keohane, Ward 17; John William Petipas, Ward 17; Reginald Rico, Ward 17; Charles H. Stevenson, Ward 17; John H. Melzard, Jr., Ward 18; Edmund T. Collins, Ward 19; Alexander Hilland, Ward 19; Patrick E. Moran, Ward 19; Joseph P. Sullivan, Ward 19; John W. Fitzgerald, Ward 20.

Forty traverse jurors, Superior Criminal Court, Third Session, to appear November 7, 1927:

William J. Hartnett, Ward 1; Michael Rizzo, Ward 1; Benjamin F. Plummer, Ward 2; George C. Austin, Ward 4; James T. Kelley, Ward 5; Hugh Bernard Reynolds, Ward 5; John J. Sousa, Ward 5; Michael J. Byrne, Ward 6; Patrick F. Curtin, Ward 6; Vincent J. Guilfoyle, Ward 6; Thomas McDonough, Ward 6; Neil A. O'Donnell, Ward 7; Patrick Cuniff, Ward 9; Thomas P. O'Connell, Ward 9; Joseph H. Gately, Ward 10; Erich J. Nietz, Ward 11; Wilson S. Sherman, Ward 11; John A. Carver, Ward 14; Daniel J. Downings, Ward 14; Abraham I. Karnow, Ward 14; Peter Orlov, Ward 14; Samuel Mizelman, Ward 14; Arthur Simons, Ward 14; Michael J. Cavanaugh, Ward 15; Lawrence Larsen, Ward 16; John J. O'Connell, Ward 16; Edward T. Cauley, Ward 17; William J. Craven, Ward 18; Axel J. Hakanson, Ward 18; Frederick Jacobson, Ward 18; Robert P. Crellen, Ward 19; John J. Kingsley, Ward 19; Robert C. McGowan, Ward 19; Ray W. Nuttle, Ward 19; Fred R. Colburn, Ward 20; Lawrence J. Ostlund, Ward 20; Andrew J. Thompson, Ward 20; Edward M. Warner, Ward 21; James J. Corliss, Ward 22; John E. Jefferson, Ward 22.

#### APPOINTMENT BY THE MAYOR.

The following was received:

City of Boston,  
Office of the Mayor, October 1, 1927.  
To the City Council.

Gentlemen,—Subject to the approval of your Honorable Body, I herewith appoint as a weigher of coal William E. Smith, 80 Woods

avenue, Somerville, who is employed by The Brotherhood Coal Company at 1022 Massachusetts avenue, Boston.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Laid over one week under the law.

#### STUDY OF NURSING.

The following was received:

City of Boston,  
Office of the Mayor, September 29, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Boston City Hospital Trustees, in reply to your order of September 12, 1927, relative to an appropriation in the sum of \$2,500, to be used for the purpose of encouraging girls in the public schools to study nursing at the City Hospital.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Hospital Department, September 28, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—At a meeting of the Board of Trustees held on September 23 I presented the order of the City Council, "That the City Hospital Trustees be requested, through his Honor the Mayor, to provide for an appropriation in the sum of \$2,500, to be used for the purpose of encouraging girls in the public schools to study nursing at the City Hospital," and it was voted that the trustees at the present time do not see, after earnest consideration, any method of using such a sum at this time.

Yours respectfully,  
JOHN J. DOWLING,  
Superintendent.

Placed on file.

#### BUILDING OVER SEWER EASEMENT.

The following was received:

City of Boston,  
Office of the Mayor, September 28, 1927.  
To the Honorable the City Council.

Gentlemen,—Inclosed find an order licensing the Jamaica Plain Neighborhood Association to build a structure over a portion of a certain parcel of land owned by said association, situate at 276 Amory street, Jamaica Plain. The land upon which the proposed structure is to be built was taken by the town of West Roxbury for sewerage purposes, under "An Act to Authorize the City of Boston and the Town of West Roxbury to Improve Stony Brook and its Tributaries," chapter 223 of the Acts of 1868. It is the opinion of the Commissioner of Public Works of the City of Boston that a nominal consideration would be an adequate charge.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That his Honor the Mayor be and he hereby is authorized and empowered in the name and behalf of the City of Boston for the sum of one dollar, and in form satisfactory to the Law Department, to execute and deliver to the Jamaica Plain Neighborhood Association, the owner of a certain parcel of land situate in that part of Boston called Jamaica Plain, and numbered 276 Amory street in said Jamaica Plain, a license to build a structure over a certain portion of the aforesaid parcel of land which was taken by the town of West Roxbury for sewerage purposes under "An Act to Authorize the City of Boston and the Town of West Roxbury to Improve Stony Brook and its Tributaries," chapter 223 of the Acts of 1868. The plan of the proposed structure and its position relative to the land taken for sewerage works are shown on a plan drawn by Blackall and Elwell, architects, dated August 1, 1927, and ap-



proved by the Commissioner of Public Works of the City of Boston, reserving to the City of Boston, without any liability for damages therefor, the right by its officers, agents or contractors, at any and all times, to enter upon said land taken for sewerage purposes as above stated, to repair and maintain said sewerage works now therein, and to construct such new works as the said Commissioner of Public Works may from time to time deem proper.

Referred to the Committee on Public Lands.

#### APPROPRIATION FOR INSURANCE RATES COMMISSION.

The following was received:

City of Boston,  
Office of the Mayor, September 26, 1927.  
To the City Council.

Gentlemen,—During the past year the City of Boston has devoted considerable time to the question of fire losses which have been materially reduced. Despite this accomplishment there is a movement under way for a general upward increase in fire insurance rates throughout the city. Such a proposal is of outstanding importance to the entire city, since it affects the prosperity and well being of every citizen. Believing this to be an economic question which offers a field for productive survey, I have appointed a committee on fire insurance rates to make a general survey and report on the entire proposition. In order that the committee may not be handicapped by the lack of necessary funds to carry on their work, I submit, therefore, an order authorizing an expenditure of a sum not in excess of \$15,000 by the committee in the prosecution of its duties.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That a sum not in excess of \$15,000 be expended under the direction of the Mayor, by the Mayor's Committee on Fire Insurance Rates in the prosecution of its duties, said sum to be charged to the Reserve Fund.

Referred to the Executive Committee.

#### TENEAN BEACH IMPROVEMENT.

The following was received:

City of Boston,  
Office of the Mayor, September 28, 1927.  
To the City Council.

Gentlemen,—I return herewith, without my approval, your order passed under date of September 12, 1927, providing for an appropriation of \$50,000, to be expended under the direction of the Park Department for the improvement of Tenean Beach, in Dorchester.

A report made to me by the Park Department indicates that for many years a portion of Tenean Beach, while privately owned, has been used for public bathing.

Your order as drawn accomplishes no purpose, as there is no necessity for the expenditure of \$50,000 provided therein for improvement.

Tenean Beach cannot properly be improved for bathing purposes so long as there are private rights at this point. In order to make a proper use of Tenean Beach for public bathing, additional beach land should be acquired.

I transmit, therefore, a new order for your consideration for the purchase of additional beach land now privately owned and for the improvement of the whole.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$50,000 be and hereby is appropriated to be expended under the direction of the Park Department for the

purchase and improvement of beach land at Tenean Beach, in Dorchester, and that to meet such expense the City Treasurer be authorized to issue, from time to time, at the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Executive Committee.

#### BUILDING OVER SEWER EASEMENT.

The following was received:

Boston, September 26, 1927.  
To the Honorable the City Council.

Gentlemen,—Inclosed find an order licensing the Hedge & Mattheis Company to build a structure over a portion of a certain parcel of land owned by the said company, situate at 285 Dorchester avenue, South Boston. The land upon which the proposed structure is to be built was taken by the City of Boston for sewerage purposes by an order passed by the Board of Aldermen of the City of Boston, approved by the Mayor July 2, 1896.

The Commissioner of Public Works of the City of Boston has approved the plan of construction proposed by the Hedge & Mattheis Company and has stated that in his opinion a nominal consideration would be an adequate price.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That his Honor the Mayor be and he hereby is authorized and empowered in the name and behalf of the City of Boston for the sum of one dollar, and in form satisfactory to the Law Department, to execute and deliver to the Hedge & Mattheis Company, owner of a certain parcel of land situate in that part of Boston called South Boston, and numbered 285 on Dorchester avenue, over a certain portion of the aforesaid parcel of land, which was taken by an order passed by the Board of Aldermen of the City of Boston and approved by the Mayor of said City of Boston July 2, 1896. The plan of the proposed structure and its position relative to the land taken for sewerage purposes are shown on a plan drawn by F. Leroy Fox, Inc., Boston, dated July 21, 1927, and approved by the Commissioner of Public Works of the City of Boston, reserving to the City of Boston without any liability for damages therefor the right by its officers, agents or contractors, at any and all times, to enter upon said land taken for sewerage purposes as above stated, to repair and maintain said sewerage works now therein, and to construct such new works as the said Commissioner of Public Works may from time to time deem proper.

Referred to the Committee on Public Lands.

#### PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz:

##### Claims.

American Railway Express Company, for compensation for damage to team by city truck.

John E. Baggs, for compensation for injuries caused by an alleged defect in Buckingham street.

Carlo Basso, for compensation for damage to property at 77 Meridian street, caused by shutting off water.

Mabel P. Black, for compensation for injuries caused by an alleged defect at 291 Huntington avenue.

Harry Breckman, for compensation for damage to automobile by city cart.

Burtis Brown, for refund of fee paid to Building Department.

George A. Cahill, for compensation for damage to clothing caused by painted post at corner of Summer and Devonshire streets.

Luigi Caiani, for compensation for removal of fire escapes at 18 Unity street.

Park L. Davis Company, for compensation for damage to truck by city truck.

Lucy DiBenedetto, for compensation for injuries caused by fall on stairs in City Hall Annex.

Robert G. Driscoll, for compensation for loss of articles at City Hospital.

Ellen V. Finnigan, for compensation for injuries caused by an alleged defect at 1090 Dorchester avenue.

Mary Fitzgibbon, for compensation for injuries caused by an alleged defect at 567 Broadway.

Paul W. Halloran, for compensation for injuries caused by an alleged defect at P and Fourth streets.

Mrs. Ellen Hayes, for compensation for damage to property at 5 Edison green, caused by shutting off water.

Philip H. Holden, for compensation for damage to automobile by city wagon.

Mrs. Annie Just, for compensation for injuries caused by an alleged defect at 845 Boylston street.

Proctor Lincoln, for compensation for damage to automobile caused by an alleged defect at 104 Russett road.

Benjamin Miller, for compensation for injuries caused by an alleged defect at 751A Albany street.

Paul Murphy, for compensation for damage to clothing caused by catching on wire on Gove street Bridge.

New England Transportation Company, for compensation for damage to truck caused by an alleged defect in Alford street, Charlestown.

Elizabeth Regan, for compensation for injuries caused by an alleged defect in Hammett street.

Thomas F. Ryan, for compensation for injuries received while unloading truck at Fort Hill Wharf.

Antonio Sateriale, for compensation for damage to automobile by city car.

Alfred C. Woods, for compensation for injuries caused by fire truck.

Executive.

Petition for children under fifteen years of age to appear at places of public amusement, viz.:

Anthony Zydanowicz, South Boston Municipal Building, October 16.

#### STORAGE AND SALE OF GASOLENE.

Notice was received from the Board of Street Commissioners of hearings to be held on petitions for storage and sale of gasoline, viz.:

John H. Broderick, 176-194 Ipswich street, Ward 5, 20,000 gallons; P. Galvin, 145 A street, Ward 6, 1,000 gallons.

Agnes T. Roche, 792 Adams street, Ward 16, 2,000 gallons additional.

Sarkis Melarian *et al*, 212-214 Boston street, Ward 7, 1,000 gallons.

Referred to the Executive Committee.

#### APPOINTMENT OF SINKING FUND COMMISSIONERS.

Notice was received of the appointment by the Mayor of George H. Lyman, of 351 Commonwealth avenue, and Ralph Hornblower of 17 West Cedar street, to be Sinking Funds Commissioners.

Placed on file.

#### APPROVAL OF APPOINTMENT OF CHARLES H. INNES.

Notice was received of the approval by the Civil Service Commission of the appointment of Charles H. Innes of 197 Bay State road as Park Commissioner.

Placed on file.

#### APPROVAL OF CONSTABLE'S BOND.

The constable's bond of Harry Kahn, having been duly approved by the City Treasurer, was received and approved.

#### CALL FOR CITY ELECTION.

Chairman DOWLING offered the following:

Ordered, That meetings of the citizens of this city qualified to vote for city officers be held at the several polling places designated for the purpose by the Board of Election Commissioners, on Tuesday, the eighth day of November, 1927, to give in their votes for three members of the School Committee, and for one member of the City Council in each ward.

The polls at said meeting shall be opened at six o'clock a. m., and closed at eight o'clock p. m.

Ordered, That the City Clerk be directed to give notice of said meetings by publishing the same as required by law.

Referred to the Executive Committee.

#### ACCEPTANCE OF CHAPTER 196.

Coun. RUBY offered an order—That Chapter 196 of the Acts of 1927, entitled "An Act Authorizing the City of Boston to Continue the Payment of a Pension to the Widow of Daniel T. Dineen," be and the same hereby is accepted.

Referred to the Executive Committee.

#### ACCEPTANCE OF AUGUSTUS AVENUE.

Coun. WRAGG offered an order—That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Augustus avenue, between Whitford street and Metropolitan avenue, Ward 18, as a public highway.

Passed under suspension of the rule.

#### ACCEPTANCE OF DAMRELL AVENUE.

Coun. WRAGG offered an order—That the Street Commissioners be requested, through his Honor the Mayor, to lay out and construct Damrell avenue, between Readville street and Stark avenue, Ward 18, as a public highway.

Passed under suspension of the rule.

#### SIDEWALK ON TAPPAN STREET.

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Tappan street, Nos. 23, 25, 27, 30, 32 (edgestones only), in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of gravel, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### SIDEWALK ON PRATT STREET.

Coun. KEENE offered an order—That the Commissioner of Public Works make a sidewalk along Pratt street, both sides, from Linden street to Ashford street, Ward 21, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

## REPAVING OF MORELAND STREET.

Coun. BUSH offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Moreland street, Ward 12.

Passed under suspension of the rule.

## ADDITIONAL MEN AT CABOT STREET BATH BUILDINGS.

Coun. WARD offered the following:

Ordered, That the Park Commissioner of Public Works be requested, through his Honor the Mayor, to put additional men on the baths at the Cabot street and West Brookline street buildings.

Passed under suspension of the rule.

## INSTALLATION OF ARC LIGHT.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of an arc light at the corner of Glen and Glendale streets, Dorchester.

Passed under suspension of the rule.

## PLAYGROUND IN WARD 8.

Coun. DOWD offered the following—That the sum of seventy-five thousand dollars be appropriated, to be expended by the Park Commission for a public playground in the South End section of Ward 8, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

## REMOVAL OF GARBAGE FROM WARD 8.

Coun. DOWD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to immediately remove all garbage and ashes from the streets of Ward 8.

Referred to the Executive Committee.

## NEW KITCHEN FOR CITY HOSPITAL.

Coun. DOWD offered the following:

Ordered, That the Board of Trustees of the Boston City Hospital be requested, through his Honor the Mayor, to make provision for the installation of a modern and up-to-date kitchen in the City Hospital.

Coun. DOWD—Mr. President, referring to that order I simply want to state that in the last five years perhaps upwards of five and one half million dollars has been spent on new buildings for the Boston City Hospital, but not a great deal of attention has been paid to having an up-to-date kitchen to supply the 1,500 or 1,600 patients there. I believe it is time that the Board of Trustees should install in the City Hospital a really modern up-to-date kitchen, so that the patients may be able to get their food warm when they receive it.

The order was passed under suspension of the rule.

## REMOVAL OF RUBBISH, WARD 10.

Coun. FREELEY offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to remove all rubbish and debris from the streets in Ward 10.

Passed under suspension of the rule.

## REPAVING OF CHESTNUT AVENUE, WARD 10.

Coun. FREELEY offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Chestnut avenue, Ward 10.

Passed under suspension of the rule.

## RESURFACING OF WARD 6 STREETS.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface East Third street, from N street to Farragut road, Ward 6.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface East Second street, from N street to Farragut road, Ward 6.

Severally passed under suspension of the rule.

## BROOK ROAD, WARD 11.

Coun. ENGLERT offered the following—That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Brook road, Ward 11.

Passed under suspension of the rule.

## SIDEWALK ON ADAMS STREET.

Coun. GILBODY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 274 and 274A Adams street, Ward 16, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 12 feet in width, and to be built of artificial stone, with granite edgestones under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

## CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Chairman DOWLING called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor September 26, 1927, of Nelson I. Crowther, John J. Riley and Michael McDougall, to be Weighers of Goods.

The question came on confirmation. Committee, Coun. Keene and Donovan. Whole number of ballots 18, yeas 18, and the appointments were confirmed.

## RECESS.

The Council voted, at 2.44 p. m., on motion of Coun. GUILD, that the Council take a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by Chairman DOWLING at 4.14 p. m.

## EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following:

1. Report on (order referred today) calling the city election and directing that the polls shall be opened at six o'clock a. m. and closed at eight o'clock p. m.—that the same ought to pass.

Report accepted; order declared rejected. Coun. DOWD doubted the vote and asked for the yeas and nays. The roll was called, and the order was adopted, yeas 11, nays 10.



Yeas—Coun. Bush, Dowd, Englert, Freeley, Gilbody, Green, Lynch, Mahoney, McMahon, Ruby, Ward—11.

Nays—Coun. Arnold, Donovan, Dowling, Fitzgerald, Guild, Keene, McGrath, Parkman, Wilson, Wragg—10.

2. Report on order (referred today) requesting the Commissioner of Public Works, through his Honor the Mayor, to immediately remove all garbage and ashes from the streets of Ward 8—that the same ought to pass.

Report accepted; said order passed.

3. Report on order (transmitted by the Mayor and referred today) appropriating \$50,000, to be expended under the direction of the Park Department for the purchase and improvement of beach land at Tenean Beach, in Dorchester, etc.—that same ought to pass.

Report accepted; said order passed, yeas 21, nays 0.

4. Report on order (transmitted by the Mayor and referred today) that not exceeding \$15,000 be expended under the direction of the Mayor, by the Mayor's Committee on Fire Insurance Rates, in the prosecution of its duties, said sum to be charged to the Reserve Fund,—that the same ought to pass.

Report accepted; said order passed, yeas 20, nays 0.

5. Report on order (transmitted by the Mayor and referred September 26) transferring \$12,000 from Reserve Fund to Institutions Department, Long Island Hospital, B-39, General Plant,—that the same ought to pass.

Report accepted; said order passed, yeas 19, nays 0.

6. Report on order (referred today) that chapter 196 of the Acts of 1927, entitled "An Act Authorizing the City of Boston to Continue the Payment of a Pension to the Widow of Daniel T. Dineen" be and the same hereby is accepted,—that the same ought to pass.

Report accepted; said order passed.

7. Report on petition for children under fifteen years of age to appear at places of public amusement (referred today), viz.:

Anthony Zydanowicz, South Boston Municipal Building, October 16,—that a permit be granted.

Report accepted; permit granted on usual conditions.

#### PARKMAN FUND REPORT.

Coun. GILBODY, for the Committee on Parkman Fund, submitted a report on the order (transmitted by the Mayor and referred September 26) appropriating the sum of \$54,500 from the income of the Parkman Fund,—that the order ought to pass.

Report accepted; said order passed, yeas 18, nays 0.

#### SALARIES OF PROBATION OFFICERS.

Coun. FITZGERALD, for the Committee on Accounts, submitted a report on the communication from the Chief Justice of the Municipal Court of the City of Boston (referred June 27, 1927) recommending the passage of the following:

Ordered, That the salaries of the Probation Officers of the Municipal Court of the City of Boston, as determined by the Chief Justice of said court, to date from August 1, 1927, be and the same hereby are approved, viz.:

Second assistant probation officer, \$2,800 per annum.

Two deputy probation officers, \$2,900 per annum.

Two deputy probation officers, \$2,400 per annum.

Report accepted; said order passed under suspension of the rule.

#### PAYMENT OF AID TO SOLDIERS AND SAILORS.

Coun. ENGLERT, for the Committee on Soldiers' Relief, submitted report recommending passage of order for payment of aid to soldiers and sailors and their families in the City of Boston for the month of September, 1927.

Report accepted; order passed.

#### SALE OF UNCLAIMED BAGGAGE.

The Committee on Unclaimed Baggage to which was referred the communication of the New York, New Haven & Hartford Railroad Company on September 26, submitted a report recommending the passage of the following:

Ordered, That the New York, New Haven & Hartford Railroad Company be authorized to sell at public auction on or before November 15, 1927, and after publication of the time and place of the sale, according to law, the articles remaining unclaimed in the possession of said railroad in the City of Boston.

Report accepted; order passed.

#### PAVING OF FORBES STREET, WARD 10.

Coun. FREELEY offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to repave with smooth paving Forbes street, Ward 10.

Passed under suspension of the rule.

#### PAVING OF WYMAN STREET, WARD 10.

Coun. FREELEY offered the following—That the Commissioner of Public Works, through his Honor the Mayor, be requested to repave Wyman street, Ward 10, with smooth paving.

Passed under suspension of the rule.

#### THE NEXT MEETING.

Coun. KEENE—Mr. President, I would suggest, inasmuch as we have a holiday coming next week, that when we adjourn it be to meet two weeks from today. I do not understand that there is anything pressing on the calendar that would require our attendance here next Monday.

The Council voted that when it adjourn it be to meet on Monday, October 17, at 2 p. m.

#### GENERAL RECONSIDERATION.

On motion of Coun. GILBODY, a general reconsideration of all action taken today was refused.

Adjourned at 4.37 p. m., on motion of Coun. WRAGG, to meet on Monday, October 17, at 2 p. m.



# City of Boston

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## PROCEEDINGS

OF THE

# CITY COUNCIL,

WEDNESDAY, OCTOBER 5, 1927,

ON THE DEATH OF

# HON. THOMAS N. HART,

Mayor of Boston, 1889, 1890, 1900, 1901,

TUESDAY, OCTOBER 4, 1927.





DEATH OF

# HON. THOMAS N. HART,

Mayor of Boston, 1889, 1890, 1900, 1901.

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PROCEEDINGS OF CITY  
COUNCIL.

Wednesday, October 5, 1927.

Special meeting of the City Council in the Council Chamber, City Hall, at 1 p. m., Coun. DOWLING, senior member, presiding, and a quorum present.

The meeting was held pursuant to the following call:

City of Boston,

Office of the Mayor, October 4, 1927.  
To the City Council.

Gentlemen,—You are hereby requested to assemble in the City Council Chamber, City Hall, on Wednesday, October 5, 1927, at one o'clock p. m., for the purpose of taking action on the death of Honorable Thomas N. Hart.

Respectfully yours,  
JAMES DONOVAN, Acting Mayor.

Placed on file.

—

The following was received:

City of Boston,  
Office of the Mayor, October 5, 1927.  
To the City Council.

Gentlemen,—I submit for your consideration and approval the accompanying resolutions on the death of Ex-Mayor Thomas N. Hart.

Respectfully,  
JAMES DONOVAN, Acting Mayor.

Resolved, That the City Council has learned with deep regret of the death, at an advanced age, of Honorable Thomas N. Hart, whose public service embraced the offices of member of the City Council, member of the Board of Aldermen, Postmaster of Boston, and Mayor of Boston.

His career as a citizen and an official was marked by a deep devotion to the best interests of the city and its people and affords an admirable example of duty faithfully performed.

On motion of Coun. KEENE, the resolution was given a second reading and was passed by a unanimous rising vote.

—

Coun. PARKMAN offered the following:

Ordered, That a committee of five members of the Council be appointed to represent the City Council at the funeral of the late Honorable Thomas N. Hart.

The order was passed, and the Chairman appointed Coun. Parkman, Wragg, Ward, Englert and Guild on said committee.

—

Chairman DOWLING—There being no further business, and the purpose for which the meeting was called having been accomplished, the Council stands adjourned.

Adjourned at 1.22 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, October 17, 1927.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., senior member Coun. DOWLING presiding, and all the members present.

MEDWAY AND DEDHAM BUS LINES—  
VETO.

The following was received:

City of Boston,  
Office of the Mayor, October 11, 1927.  
To the City Council.

Gentlemen,—I return herewith, without my approval, the petition of the Medway and Dedham Bus Lines, Inc., to operate buses from the Dedham-Boston line to Park square.

The streets in this line of route are already badly congested, and it seems to me for this reason, had policy to grant the franchise sought.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

BOSTON MOTOR TOURS, INC.—VETO.

The following was received:

City of Boston,  
Office of the Mayor, October 11, 1927.  
To the City Council.

Gentlemen,—I return herewith, without my approval, the petition of the Boston Motor Tours, Inc., for a license to operate buses from Fall River to Forest Hills Elevated Station. Under date of December 8, 1926, April 13 and August 10, 1927, I vetoed similar petitions, and it does not seem to me that there has been sufficient change in the situation to sustain a different course of action.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

OUTING OF CEMETERY EMPLOYEES.

The following was received:

City of Boston,  
Office of the Mayor, October 4, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of September 26, relative to whether or not on August 25 employees of the Cemetery Division of the Park Department not attending the outing of the department at Castle Island, were docked a day's pay as distinguished from men who attended the outing or bought tickets to the outing and did not attend, but were given the day off.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, October 3, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Replying to the following order passed by the City Council on September 26, 1927, "That the Park Commissioner, through his Honor the Mayor, advise the City Council forthwith whether on August 25, employees of the Cemetery Division of the Park Department not attending the outing of the department at Castle Island, were docked a day's pay as distinguished from men who attended the outing or bought tickets to the outing and did not attend but were given the day off"—

I beg to state that in accordance with a custom that has been in existence over twenty-five years the Board of Park Commissioners on July 28, 1927, voted:

"That all employees of the Park Department whose services can be spared may attend the annual picnic of the Park employees held on August 25,

1927, and he allowed the day off with pay. This applies only to those employees who attend the picnic and whose services may be dispensed with."

Instructions were given to all foremen in charge to notify the men to this effect and to allow on their time sheets a day's time for the men who went to the picnic and had the time off.

Fourteen employees of the Cemetery Division took the day off and did not attend the picnic after they were told by the Superintendent of Cemeteries that permission was granted only to those who intended to go to the picnic.

It would be an act of injustice to the men who did not go to the picnic and who worked their full day to pay men who took the time off in defiance of orders and did not go to the picnic.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Placed on file.

Later in the session Coun. WILSON said:

Mr. President, with reference to the Park Commissioner's reply to the order of September 26, 1927, there are a few pertinent inquiries I would like to make. Accordingly, I request that we ask Mr. Long to be our guest at the executive meeting.

Chairman DOWLING—The Chair will note the request and invite Mr. Long to the meeting of the Executive Committee.

KITCHEN FOR CITY HOSPITAL.

The following was received:

City of Boston,  
Office of the Mayor, October 13, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the trustees of the Boston City Hospital, in reply to your order of October 3, 1927, relative to making provision for the installation of a modern and up-to-date kitchen in the City Hospital.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Boston City Hospital, October 10, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor,—At a meeting of the Board of Trustees held on October 7, I presented the order of the City Council "that the Board of Trustees be requested, through his Honor the Mayor, to make provision for the installation of a modern and up-to-date kitchen in the City Hospital."

The trustees requested me to state that the present kitchen is furnished with all the latest and most modern equipment for cooking, and that they have made provision to enlarge the same to care for the added number of patients.

Yours respectfully,

JOHN J. DOWLING,  
Superintendent.

Placed on file.

SALE OF CHARLESTOWN PLAYGROUND  
LAND.

The following was received:

City of Boston,  
Office of the Mayor, October 17, 1927.  
To the Honorable the City Council.

Gentlemen,—I transmit herewith communication received from the chairman of the Board of Park Commissioners relative to a small portion of land owned by the City of Boston and which is a part of the Charlestown Playground in Charlestown, and which is in his opinion no longer needed for public purposes. The chairman of the Board of Assessors, Mr. Kelly, has advised me that an upset price of forty-seven hundred dollars is a fair one and in the city's best interests. I accordingly recommend the passage of the accompanying order.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Ordered, That his Honor the Mayor be and he hereby is authorized in the name and behalf of the city to sell at public auction at an upset price of forty-seven hundred dollars all the right, title and interest of the City of Boston in and to a parcel



of land situated on the northeasterly side of Main street in Charlestown, in said Boston, and containing 2,367 square feet of land, more or less, and to execute and deliver a deed of the same to the purchaser in form satisfactory to the Law Department. Said land is bounded and described as follows:

Southwesterly by the northeasterly line of Main street, thirty-two and 71-100 (32.71) feet; northwesterly by land of the City of Boston, one hundred forty-four and 76-100 (144.76) feet; and southeasterly by land supposed to belong to W. F. Schrafft & Sons Corporation, one hundred forty-four and 76-100 (144.76) feet; containing 2,367 square feet of land, more or less.

City of Boston,

Park Department, August 23, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—At a meeting of the Board of Park Commissioners held on Thursday, August 18, 1927, it was:

Voted, That a wedge-shaped piece of land, part of the Charlestown Playground, Charlestown, which contains 2,367 square feet, adjoining the property of the W. F. Schrafft & Sons Corporation, is no longer needed for public purposes, and recommends that same be sold.

It is more definitely described as measuring 148.29 feet on the playground side; 144.76 feet on the Schrafft land side; and 32.71 feet on Main street, as indicated on the plans submitted herewith by shaded lines.

Very respectfully yours,

WILLIAM P. LONG,  
Chairman.

Referred to the Committee on Public Lands.

#### APPROPRIATION FOR EMPLOYMENT BUREAU.

The following was received:

City of Boston,

Office of the Mayor, October 17, 1927.

To the City Council.

Gentlemen,—I am advised by the director of the Employment Bureau that the funds of the Bureau will be exhausted in the early part of November. Since I deem it desirable to continue the activities of this Bureau during the winter months of the year, I submit herewith an order authorizing a charge to be made against the Reserve Fund sufficient to carry on the work of the Bureau until the close of the winter season. I respectfully recommend adoption of this order by your honorable body.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

Ordered, That the Municipal Employment Bureau be authorized to expend, under the direction of the Mayor, in the prosecution of its duties, a sum not in excess of \$8,500, said sum to be charged to the Reserve Fund.

Referred to the Executive Committee.

#### APPROPRIATION FOR MOVING PRINTING PLANT.

The following was received:

City of Boston,

Office of the Mayor, October 17, 1927.

To the City Council.

Gentlemen,—The owners of the property at 270 Congress street, in which the Printing Plant of the city is located, are at the present time making extensive alterations and improvements in this building. When this work has been completed it will be possible for the Printing Department to be located on one floor, whereas at the present time the offices are located on one floor and the press rooms on another. To accomplish this result certain expenses must be incurred for the moving of presses, installation of partitions, rearrangement of electrical facilities, etc. It is impossible at this time to specifically allocate the exact amount of expense under each item, hence I am submitting an order providing for the appropriation of \$10,000 from the income of the Printing Department to cover all of the expense which may arise in connection with the moving and rearrangement of the

department quarters. I respectfully recommend adoption of the accompanying order by your honorable body.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1927, the sum of \$10,000 be and the same hereby is appropriated from the income of the Printing Department for F-14, Moving Expenses.

Referred to the Executive Committee.

#### ADDITIONAL PARK DEPARTMENT EMPLOYEES.

The following was received:

City of Boston,

Office of the Mayor, October 15, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department, in answer to your order of October 3, 1927, requesting the employment of additional men on the baths at the Cabot street and West Brookline street buildings.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, October 10, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of October 6, with inclosure, order of the City Council, that the Park Commission be requested to put additional men on the baths at the Cabot street and West Brookline street buildings.

In reply I desire to say the department feels there are enough men employed at the present time in both these buildings. If the attendance increases, it will be a pleasure to put additional men there, as we have such in the department.

Very respectfully yours,

W. P. LONG, Chairman.

Placed on file.

#### NEW LOCATION OF EDISON POLES.

The following was received:

City of Boston,

Office of the Mayor, October 15, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Transit Department, in answer to your order of September 26, 1927, relative to the revision of instructions given the Edison Company regarding the location of poles from the line of the new Dorchester Tunnel to private property adjacent thereto.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Transit Department, October 11, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I return herewith order of the City Council dated September 26, 1927.

During the construction of that part of the extension, between Park street and Peabody square, it was necessary to temporarily relocate several poles. The Board granted the petition of the Edison Company to relocate these poles in substantially the same position, except where the station platform underground would not permit.

Yours very truly,

T. F. SULLIVAN, Chairman.

Placed on file.

#### COST OF WIDENING WELD STREET.

The following was received:

City of Boston,

Office of the Mayor, October 15, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Public Works Department, in answer to your order of August 22, 1927, requesting an estimate of the cost of widening and resurfacing Weld street, West Roxbury.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, October 11, 1927.  
To the Honorable the Mayor.

I return herewith order of City Council requesting estimate of the cost of widening and resurfacing Weld street, West Roxbury.

The Board of Street Commissioners have established a building line on Weld street, between Centre street and the West Roxbury Parkway hut, as yet, no taking has been made.

The estimated cost of constructing Weld street, between Centre street and West Roxbury Parkway, with smooth paving, edgestone and cement walks is \$102,000. This does not include land takings, land damages, etc.

Respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### TRANSFER FOR CITY COUNCIL EXPENSES.

The following was received:

City of Boston,  
Office of the Mayor, October 17, 1927.  
To the City Council.

Gentlemen,—I am advised by the Acting President of the City Council that the appropriation for B-29, Stenographic and Copying, in the budget of the City Council will not be sufficient to allow for the payment of stenographic services rendered in connection with the budget hearings held by your honorable body during the early part of the current year. In view of this fact, I accordingly submit herewith an order providing for the transfer of the necessary funds from the Reserve Fund.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor he and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$2,200, to the appropriation for City Council, B-29, Stenographic, Copying and Indexing, \$2,200.

Referred to the Executive Committee.

#### TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,  
Office of the Mayor, October 17, 1927.  
To the City Council.

Gentlemen,—I am in receipt of the attached requests for transfers within departmental appropriations and respectfully recommend adoption of the accompanying orders by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor he and hereby is authorized to make the following transfer in the appropriations for Penal Institutions Department, Steamer "Michael J. Perkins":

From the appropriation for A-3, Unassigned, \$150, to the appropriation for A-2, Temporary Employees, \$150.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor he and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Paving Service:

From the appropriation for A-1, Permanent Employees, Chauffeurs, Teamsters, Laborers, 17 at \$5-\$5.50 per day, \$3,800, to the appropriation for B-6, Hire of Teams and Auto Trucks, \$2,000; B-14, Motor Vehicle, Repairs and Care, \$1,800.

From the appropriation for A-1, Permanent Employees, Chauffeurs, Head, 4 at \$1,900 per year, \$1,000, to the appropriation for B-14, Motor Vehicle, Repairs and Care, \$1,000.

From the appropriation for A-1, Permanent Employees, Engineers, Senior, 8 at \$2,400-\$2,800 per year, \$1,000; Engineers, Steam, 12 at \$5.50-\$6 per day, \$1,500; Firemen, 6 at \$5-\$5.50 per day, \$500, to the appropriation for B-39, General Plant, \$3,000.

From the appropriation for A-1, Permanent Employees, Firemen, 6 at \$5-\$5.50 per day, \$500,

to the appropriation for D-13, Chemicals and Disinfectants, \$75; D-16, General Plant, \$425.

From the appropriation for A-1, Permanent Employees, Inspectors, 38 at \$1,600-\$1,900 per year, \$5,575; to the appropriation for D-16, General Plant, \$575; E-1, Building, \$2,000; E-13, General Plant, \$3,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Institutions Department, Central Office:

From the appropriation for C-7, Furniture and Fittings, \$100; G-3, Elks Hospital, \$150, to the appropriation for D-11, Motor Vehicle, \$250.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Institutions Department, Child Welfare Division:

From the appropriation for C-16, Wearing Apparel, \$850, to the appropriation for B-22, Medical, \$700; D-5, Medical, Surgical, Laboratory, \$150.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Market Department:

From the appropriation for B-18, Cleaning, \$55, to the appropriation for A-3, Unassigned, \$20; B-13, Communication, \$12; D-1, Office, \$5; D-8, Laundry, Cleaning, Toilet, \$18.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Bridge Service:

From the appropriation for C-4, Motor Vehicles, \$50, to the appropriation for C-17, Wearing Apparel, \$50.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor he and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Ferry Service:

From the appropriation for F-7, Pensions and Annuities, \$125, to the appropriation for B-3, Advertising and Posting, \$15; B-35, Fees, Service of Venies, etc., \$10; E-1, Building, \$100.

Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Hospital Department:

From the appropriation for A-1, Permanent Employees: Physicians, 5 at \$2,500 per year, \$530; Physicians, 3 (4) at \$1,500 per year, \$340; Physicians, 6 at \$1,000 per year, \$450; Physicians, 2 at \$500 per year, \$450; Clerks, 2 (11) at \$16-\$18 per week, \$220; Clerks, 18 at \$12 per week, \$400; Technicians, 24 (20) at \$18-\$27 per week, \$1,000; Hospital Employee, 1 at \$3,000 per year, \$860; Hospital Employee, 1 at \$2,300 per year, \$750; Social Service Workers, 16 at \$1,000-\$1,300 per year, \$1,000, to the appropriation for A-2, Temporary Employees, \$6,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor he and hereby is authorized to make the following transfer in the appropriation for Institutions Department:

From the appropriation for Rainsford Island, Care of, \$1,000, to the appropriation for steamer "George A. Hibbard" and launch "James J. Minot," B-39, General Plant, \$1,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor he and hereby is authorized to make the following transfer in the appropriations for Penal Institutions Department, House of Correction:

From the appropriation for B-42, Educational and Recreational, \$126, to the appropriation for B-14, Motor Vehicle Repairs and Care, \$25; F-14, Gratuities, \$100; C-9, Office, \$1.

From the appropriation for C-11, Marine, \$125; C-14, Live Stock, \$70, to the appropriation for D-16, General Plant, \$195.

From the appropriation for C-11, Marine, \$125, to the appropriation for D-11, Motor Vehicles, \$125.



Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Mayor, Office Expenses:

From the appropriation for G-3, Incidentals, \$750, to the appropriation for B-4, Transportation of Persons, \$750.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Sewer Service:

From the appropriation for A-1, Permanent Employees, Laborers, Coal Passers, 125 at \$5 per day, \$4,000; Sewer Cleaners, 24 at \$5-\$5.50 per day, \$4,500, to the appropriation for A-2, Temporary Employees, \$8,500.

From the appropriation for A-1, Permanent Employees, Sewer Cleaners, 24 at \$5.50 per day, \$300, to the appropriation for F-11, Workingmen's Compensation, \$300.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Water Service:

From the appropriation for B-39, General Plant, \$1,600, to the appropriation for B-28, Expert, \$1,500; C-17, General Plant, \$100.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Printing Department:

From the appropriation for B-10, Rent, Taxes and Water, \$40, to the appropriation for D-S, Laundry, Cleaning, Toilet, \$40.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Municipal Court:

From the appropriation for B-4, Transportation of Persons, \$1,000, to the appropriation for D-1, Office, \$1,000.

Referred to Executive Committee.

#### SALARIES OF PROBATION OFFICERS, ROXBURY COURT.

A communication was received from the justice of the Municipal Court of the Roxbury District determining the annual salaries of the probation officers of the Court to be as follows: Chief probation officer, \$3,500; first assistant probation officer, \$3,000; four male probation officers, \$2,800 each; one woman probation officer, \$2,500, said salaries to take effect on January 1, 1928.

Referred to the Committee on County Accounts.

#### PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

##### Claims.

Salvatore Adams, for compensation for damage to automobile by city truck.

James S. Adie, for compensation for injuries caused by an alleged defect in West street, Hyde Park.

Harry Aronson, for compensation for damage to automobile caused by an alleged defect at 199 Albany street.

Ambrose Baron, for compensation for damage to property at 51 Lawn street, Roxbury, caused by shots fired by police officer.

Harris Barron, for compensation for damage to property at 408 Bennington street, caused by overflow of sewage.

Annie V. Bettoney, for compensation for damage to automobile by motorcycle officer.

Paul Boghosian, for compensation for refund on Sunday license.

Mary E. Breslin, for refund on refuso tickets.

Cambridge Taxi Company, for compensation for damage to taxicab by city wagon.

Solomon Cohen, for compensation for injuries caused by an alleged defect at 29 Spring street.

John F. Connors, for compensation for damage to property at 493 Fourth street, caused by negligent maintenance of wall by city.

Anna M. Devine, for compensation for injuries caused by an alleged defect at 782 Dudley street.

James P. Dowd, for compensation for damage to property at 216 Poplar street, caused by disconnecting water pipe.

Federal Beef Company, for compensation for damage to property at 88 Blackstone street, caused by water overflowing.

William H. Field, for compensation for damage to property at 60 St. James street, caused by ash team.

Flynn's Drug store, for compensation for damage to electric sign.

Max Gelles, for compensation for damage to automobile by city truck.

Mrs. Florence H. Goodsell, for compensation for damage to property at 2 Westford place, Allston, caused by ash truck.

Alice Hailey, for compensation for damage to automobile by city cart.

Sarah E. Hodson, for compensation for damage to property at 967 Columbus avenue, caused by leak in water pipe.

Ralph D. Jensen, for compensation for damage to clothing in waiting room at ferry.

Betty Kaplan, for compensation for injuries caused by an alleged defect at Chambers and Spring streets.

John S. Kivlan, for compensation for damage to automobile caused by an alleged defect in Grove street, West Roxbury.

Abraham Kovinsky, for compensation for damage to automobile by city truck.

Israel Levitt, for refund on fee paid for second-hand license.

Macey Drug Company, for compensation for damage to property at 232A Tremont street, caused by bursting of water main.

Manton-Gaulin Manufacturing Company, for refund on unused refuse tickets.

Michael J. Mastrangelo, for compensation for damage to automobile on East Boston Ferry.

Mrs. John Maughn, for compensation for injuries caused by an alleged defect in Codman square.

Julia Mazetti, for compensation for injuries caused by an alleged defect at Union and Hanover streets.

Eugene F. McCarthy, for compensation for damage to automobile by city truck.

Margaret T. McCarthy, for compensation for injuries caused by an alleged defect at Dorchester street and Broadway.

Charles C. Murphy, for compensation for damage to property at 62 Montcalm avenue, Brighton, during construction of street.

Mrs. Helen B. Neill, for compensation for injuries caused when ear in which she was riding was struck by motorcycle officer.

Genevieve M. O'Connor, for compensation for injuries caused by an alleged defect in Boylston street.

Mary E. O'Neill, for compensation for damage to property at 900 Parker street, Roxbury, caused by break in water main.

James Parcellin, for compensation for damage to truck caused by an alleged defect in Alford street.

Fred C. Reis, for compensation for damage to automobile by city cart.

Fannie Rich, for compensation for injuries caused by an alleged defect at 64 Salem street.

Henrietta Schiller, for compensation for injuries caused by an alleged defect at 182 Howard avenue, Roxbury.

Mrs. John Shalhoub, for compensation for damage to clothing caused by tar on Washington street, at High View avenue, West Roxbury.

Walter A. Shepard, for compensation for damage to automobile caused by an alleged defect in Centre street, West Roxbury.

Benjamin F. Stone, for compensation for damage to automobile caused by city truck.

Elmer C. Stratton, for compensation for damage to automobile caused by an alleged defect in Park square.

Helen Struzik, for compensation for damage to clothing by fire hose.

Josephine Velardi, for compensation for injuries caused by an alleged defect in South Margin street.

##### Executive.

Florence E. Dolan, for children to appear at Repertory Hall on November 18, 1927.



## APPROVAL OF CONSTABLE'S BOND.

The constable's bond of John J. Bavis, having been duly approved by the City Treasurer, was received and approved by the City Council.

## INTEREST IN CONTRACT.

Notice was received from L. K. Rourke, Building Commissioner, that the McCulloch Manufacturing Company, of which he is treasurer and a stockholder, has entered into a contract with the Public Works Department of the city for the assembling of gates and hydrants.

Placed on file.

## HEARING IN RE DUMPING SNOW AND ICE.

Notice was received from the Commissioner of Public Works of the state, of a hearing on Wednesday, October 26, at 2 p. m., on application of the City of Boston, by the Commissioner of Public Works, for license to dump snow and ice in the tide waters during the winter of 1927-28 from sundry points.

Placed on file.

## TEMPORARY TRESTLE, BELLE ISLE INLET.

Notice was received from the Commissioner of Public Works of the state, of a hearing on October 19, 1927, at 2.15 p. m., on application of Coleman Disposal Company for license to build a temporary trestle over Belle Isle Inlet in the cities of Revere and Boston.

Placed on file.

## STEAM TRACK FOR FIRESTONE TIRE COMPANY.

Notice was received from the Board of Street Commissioners of the passage of an order granting permission to the Firestone Tire and Rubber Company to lay down, maintain and use for transportation of freight by steam-power tracks at northwest end of Fullerton street, Ward 21, under certain conditions.

Placed on file.

## MEMBER BOARD OF EXAMINERS.

The appointment by the Mayor of Albert J. Carpenter, of 1 Moss Hill road, Jamaica Plain, to the position of member of the Board of Examiners, was received and placed on file.

## BOSTON FIREMEN'S RELIEF FUND.

The annual report of the treasurer of the Boston Firemen's Relief Fund was received and placed on file.

## GASOLINE LICENSES.

Notice was received from the Street Laying-Out Department of the Board of Street Commissioners of hearings on petitions for storage and sale of gasoline, as follows:

October 24, 1927.

Charles B. Gummo, 694 Dudley street, Ward 7, 2,000 gallons.

Jenney Manufacturing Company, 300 Congress street, Ward 3, 1,500 gallons.

Iona M. Jones, 170 Lamartine street, Ward 19, 3,000 gallons.

October 31, 1927.

Allan J. Wilson, 33 Miller street, Ward 2, 2,000 gallons.

Austin Power, 9 and 11 Walley street, Ward 1, 1,000 gallons.

Referred to Executive Committee.

## PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds, for the period from October 1 to October 15, 1927, inclusive, amounting to \$3,977.99, was received.

Approved and ordered paid.

## OVERTIME IN ELECTION DEPARTMENT.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor request the Election Commissioners to pay overtime to all employees of the Election Department in connection with extra work necessary in the coming municipal election on November 8.

Referred to the Executive Committee.

## LOAN FOR MUNICIPAL STADIUM.

Coun. DOWD offered the following:

Ordered, That the sum of \$250,000 he and the same is hereby appropriated, to be expended under the direction of the Park Commission, for the erection of a municipal stadium, and that to meet said expense the City Treasurer be authorized to issue, from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

## PURCHASE OF PARK LAND IN ROXBURY.

Coun. DOWD offered the following:

Ordered, That the Park Department, through his Honor the Mayor, be requested to make provisions in the budget for the purchase of a piece of land at the junction of Fairland, Moreland and Winthrop streets, Roxbury, to be used for park purposes.

Referred to the Executive Committee.

## AMERENA PARK.

Coun. DONOVAN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to confer the name of Amerena Park upon the Wellington Street Playground, Ward 1.

Passed under suspension of the rule.

## SIDEWALK ON TRAIN STREET.

Coun. GILBODY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Train street, Nos. 181, 183, 184, Ward 16, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

## SIDEWALK ON FOSTER STREET.

Chairman DOWLING offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Foster street, Nos. 1 and 3, 5, 9, 25, 29, 31, 35, 37, 39, 4, 12, 18, 30, Ward 22, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

## DORCHESTER TUNNEL STREET WORK.

Coun. WILSON offered the following:

Ordered, That the Transit Commission and the Public Works Commissioner, through his Honor the Mayor, be and they hereby are respectfully requested properly to repair and resurface forthwith each section of any Dorchester street ex-

cavated incident to the construction of the new Dorchester Tunnel, and particularly Park street.

Coun. WILSON—Mr. President, just a word in reference to that order. It has naturally been necessary in connection with the Dorchester Tunnel work to dig up certain streets in that section. The work has long since been completed on Park street, Melville avenue, and other streets in that district, but Park street particularly has been left in an unsafe condition. It is high time that that through route to Fields Corner was repaired and resurfaced.

The order was passed under suspension of the rule.

#### SIDEWALK ON EVANS STREET.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Evans street, from Nos. 36 to 60, inclusive, Ward 17, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### ASSEMBLY ROOM IN BOSTON SANATORIUM.

Coun. KEENE offered the following:

Ordered, That the Trustees of the Boston City Hospital be requested, through his Honor the Mayor, to provide an assembly room in the Boston Sanatorium and make such arrangements as may be necessary to meet the expense by a budget item or otherwise.

Coun. KEENE—Mr. President, I was prompted to introduce that order through a talk with Mr. English, the reporter on the *Boston American*. He has been around with some other employees of the various papers who show moving pictures in various institutions throughout the city, and there has been more or less adverse comment because of the fact that the only place where they can show such pictures in the Boston Sanatorium is in the dining room. Of course, that sort of thing upsets the arrangement there and does not leave the inmates of the institution in the mental condition which is desirable for such patients. It is very important that such sufferers should enjoy as bright surroundings and atmosphere as possible. There should be some such place installed in that institution; consequently, I have introduced the order.

Coun. GILBODY—Mr. President, I simply want to say in connection with the order that I happened to be talking with the chaplain of the hospital there, and he told me of the very great necessity for something of the sort. Therefore I simply wish to add my word in support of the order, in addition to what has been said by the very able councilor from West Roxbury.

The order was passed under suspension of the rule.

#### SIDEWALK ON BELLEVUE STREET.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Bellevue street, east side, between Cornell and Quincy streets, Ward 15, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### SIDEWALK ON SYDNEY STREET.

Coun. McGRATH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Sydney street, Nos. 163-167 and 171-173, edgestone only, Ward 13, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to

be built of gravel, with granite edgestones, under the provisions of chapter 196 of the special acts of 1917.

Passed under suspension of the rule.

#### SIDEWALK ON BROOKLINE AVENUE.

Coun. PARKMAN offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Brookline avenue, at No. 61, Ward 21; Brookline avenue, from Newbury street about 150 feet northerly, Ward 5, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### SIDEWALK ON PARK STREET.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Park street, Nos. 331-339 inclusive, Ward 17, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### RECESS.

On motion of Coun. WILSON the Council voted at 2.37 p. m. to take a recess, subject to the call of the Chair.

The members reassembled in the Council Chamber and were called to order by Chairman DOWLING at 3.50 p. m.

#### IMPROVEMENT OF TENEAN BEACH.

On motion of Coun. GILBODY the Council took up, under unfinished business, No. 12 on the calendar, viz.:

12. Ordered, That the sum of \$50,000 be and hereby is appropriated to be expended under the direction of the Park Department for the purchase and improvement of beach land at Tenean Beach in Dorchester, and that to meet such expense the City Treasurer be authorized to issue, from time to time, at the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On October 3, 1927, the foregoing order was read once and passed, yeas 21, nays 0.

The order was given its second and final reading and passage, yeas 20, nays 0.

#### CONFIRMATION OF EXECUTIVE APPOINTMENT.

Chairman DOWLING, under unfinished business, called up No. 1 on the calendar, viz.:

1. Action on appointment submitted by the Mayor October 3, 1926, of William E. Smith, to be a Weigher of Coal.

The question came on confirmation. Committee, Coun. Gilbody and Guild. Whole number of ballots, 15; yeas 15, nays 0, and the appointment was confirmed.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following:

1. Report on the order (referred today) relative to park at Fairland, Moreland and Winthrop streets—that the same ought to pass.

Report accepted, said order passed.

2. Report on message from the Mayor with accompanying order (referred July 11) that section 2, chapter 220 of the Acts of 1927, entitled "An Act relative to the use of buildings and

premises, the height and bulk of buildings, and the occupancy of lots in specified districts of the City of Boston," be and hereby is accepted—that the same ought to pass.

Report accepted, said order passed.

3. Report on petition of Florence E. Dolan (referred today) for children to appear at Repertory Hall on November 18, 1927, that permit be granted.

Report accepted, permit granted on the usual conditions.

4. Report on order (referred today) for overtime payment to employees of the Election Department in connection with extra work necessary on election day, that the same ought to pass.

Report accepted, said order passed.

5. Report on message from the Mayor and order (referred today) to transfer \$2,200 to City Council Expenses—that the same ought to pass.

Report accepted, order passed.

6. Report on message and order (referred today) appropriating \$10,000 for moving expenses of the Printing Department, that the same ought to pass.

Report accepted, order passed.

7. Report on message from the Mayor and orders (referred today) for certain transfers within departmental appropriations—that the same ought to pass.

Report accepted, said orders passed, yeas 17, nays 0.

#### REPAVING OF WORTHINGTON STREET.

Coun. FREELEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Worthington street, from Huntington avenue to Tremont street, Ward 10.

Passed under suspension of the rule.

#### REPAVING ST. ALPHONSUS STREET.

Coun. FREELEY offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to repave with smooth paving St. Alphonsus street, from Huntington avenue to Smith street, Ward 10.

Passed under suspension of the rule.

#### REPAVING WIGGLESWORTH STREET.

Coun. FREELEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Wigglesworth street, from Huntington avenue to Tremont street, Ward 10.

Passed under suspension of the rule.

#### SOLDIERS' RELIEF.

Coun. ENGLERT, for the Committee on Soldiers' Relief, submitted a report recommending passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of October, 1927, under the provisions of chapter 115 of the General Laws and act and amendment thereof or in addition thereto.

Report accepted, said order passed.

#### ADDITIONAL PAY FOR ELECTION OFFICERS.

Coun. RUBY offered the following:

Ordered, That the Board of Election Commissioners be requested, through his Honor the Mayor, to pay the election officers at the municipal election on November 8, 1927, as follows: Wardens, \$17; inspectors and clerks, \$13.

Coun. RUBY—Mr. President, the regular amount paid to the wardens and other precinct officers and clerks on election day, I understand, was originally made on the basis of their working from six o'clock in the morning until four o'clock in the afternoon, and I understand that the

clerks and inspectors get \$11 a day and the wardens \$13. Because of our vote in the Council at the last meeting, carrying a wider spread of hours between the opening and closing of the polls, under which the polls will be kept open until eight o'clock at night, of necessity the precinct officers and those attached to the polling booths will be compelled to work at least four hours longer than they would otherwise have had to work. That, coupled with the additional vote that will come out between the hours of four and eight p. m. which might not come out if the polls were closed at four p. m., will of necessity compel the men and women working in those booths to also work an hour to an hour and a half on top of that. I believe that giving the officers an additional \$4, above the amount established by the Election Commissioners, will probably represent a fair adjustment, and I ask for a suspension of the rule and the passage of the order.

Coun. GUILD—Mr. President, I would like to inquire through you of the previous speaker whether or not he has made an inquiry of the Election Commissioners which satisfies him that they can find the money somewhere to pay all these extra dollars that his order provides for. At the hearing before the Budget Committee last spring it appeared to me that the Election Department had pared down just about to the bone all of the expenditures it contemplated making, and I have serious doubt whether the money is there to pay the extra \$4 per person that the order provides for. I had in mind two weeks ago, when the Council voted to extend the hours during which the polls would be open, that those officers would be compelled to work the extra four hours during which the polls were open, and probably extra time beyond which they usually have to work after the closing of the polls, on top of that. It was for that reason, as well as the reason that I felt that the Election Department had no money with which to pay these extra amounts, that I voted against the extra hours at that time.

Coun. RUBY—Mr. President, in answer to the councilor from Ward 19 I would say that surely there must be some way that the Election Commissioners and the Budget Commissioner can find of paying this money, especially in view of the fact that the chairman of the Election Commissioners informed us at the executive session of our last meeting that there would not be any extras put on, such as were put on either a year or two ago, and therefore there would seem to be no doubt that money can be found somewhere to pay the officers for the extra work and the extra time they must put in after the closing of the polls, until the count is made. Surely, if they could find extra money at that time that I refer to for extra expenditure, there must be some way in which the Election Department, with the Budget Commissioner, can find money to pay the men the \$4 extra for the extra hours they will have to work under this new arrangement.

Coun. GUILD—Of course, Mr. President, the short answer to that is that the amount paid at that time was based on the budget of two years ago. This year, under this year's budget, the money is not there.

Coun. WILSON—Mr. President, I would like to ask the gentleman if he thinks that because of the increased pay proposed the men and women will feel more inclined to stand for the sweat shop hours than they would if they didn't have the extra money?

Coun. RUBY—Mr. President, I will say in answer to the councilor from Dorchester that I feel that conditions with respect to the polls being kept open are the same in my ward as in his. I know that in my ward I want every person who desires to do so to be given an opportunity to cast his or her vote on November 8. Therefore, I voted for the eight o'clock closing, to give to the people who could not vote between six o'clock in the morning and four o'clock in the afternoon an opportunity to vote later. Now, having so burdened the precinct officers in my ward—and I feel that the conditions are the same there as in other wards of the city—I wanted to give them, if it could possibly be done, extra compensation for the additional work they will have to do. I think the fact that I voted for those sweat shop hours, as my brother refers to them, is no reason why those men and women should not be paid for the extra hours that they will have to work. Conditions being as they are, and it being to my mind important that the voters should have an



opportunity to register their votes, I feel that the election officers are entitled to additional compensation. The mere fact that I voted for the eight o'clock closing—and for that vote I have no apologies to make to the gentleman—has nothing to do with the extra work that will be involved, even if the gentleman, so far as his personal vote is concerned, had nothing to do with it. I feel that we should pay the additional money to the election officers, and I shall so vote. Of course, he has the same privilege that I have of voting for or against the order.

Coun. FITZGERALD—Mr. President, I think the officers ought to receive extra compensation, and there certainly must be some way to provide it. There will be the additional four hours during which the polls are open, and it will perhaps mean an additional hour and a half in connection with the counting of the ballots, so that the result will be that it will carry them well into the morning. Many people do not understand that under the law the polls cannot be opened until six o'clock in the morning, and that they must be opened at that time. We are the only city in the country that resorts to this practice, keeping the polls open so long as is now provided. In New York, Chicago, and every other large city in the country, the polls close at four o'clock in the afternoon. If the polls were kept open until twelve o'clock midnight, there would still be some who would want to vote then, or who would not vote at all no matter how long the polls were kept open. The election officers are up against the proposition of having to serve there this additional time, and no extra compensation has yet been provided for it. This is a new proposition, and those who have not worked at the polls or who have not stood at the polls election days do not understand the thing. I stood at the polls before I was able to vote, and I have known a great deal about the work that the election officers have to do. I have myself worked as an election officer, and never left the polls until the morning, and I know something about it. People who wish to vote can come out and vote between the hours of six in the morning and four in the afternoon. There is plenty of opportunity for them to do so. It takes them only a few minutes at the most. Even if they do have to make a slight sacrifice of time, that is something to be expected of them as citizens of this country. When we think how people in foreign countries suffer, how they shed blood to get their rights, and when we think of the opportunities offered to people here under popular government, in this city and elsewhere, it is certainly surprising that with the opportunities afforded to people here they do not take advantage of them to a greater extent than they do. There is no question but that people who wish to do so can come out and vote between six o'clock in the morning and four o'clock in the afternoon, and it is outrageous to think that all of them do not do so. Of course, the order we have passed imposes this additional burden on the election officers, and to my mind they should be paid \$25 a day for their services, and the citizens of this city would gladly consent to it. It is outrageous that they should be expected to work this additional time and should not be paid for it. Their work requires the greatest care and caution in counting and tabulating. A single ballot may decide an election. That has frequently happened in this state and city, and all over the country. A governor of the Commonwealth was elected by one vote. Mayors, members of the City Council, and members of the Legislature have been elected by one vote. It is extremely important that we obtain the services of able and careful men and women behind the rail, and every man and woman who knows anything about politics knows that this late voting opens the door to corruption, to fraud and disturbance. It is easy to perpetrate fraud at late hours of the night, when darkness has come on. I believe we will soon wake up to the fact that people will be dissatisfied with this proposed system. The sanctity of the ballot is an important thing. But now that we have voted to make these extra requirements of the election officers, certainly we should find some way to give them proper compensation for the work they do. I say that \$25 a day would be nothing but proper compensation for the service they render. I hope the order will pass, and that some way will be found to give them proper compensation. From eight o'clock in the morning until three or four o'clock in the afternoon there is nothing doing, but they have to hang around. When there are these lulls, they are obliged to sit there all the time. And they can't go to their meals, without there

being extra men there. And now it is going to be worse. They can't leave and will have these additional duties placed upon them. I tell you, there is going to be a reaction. The people of this city are fairminded, and they can be educated to go to the polls and vote between six o'clock in the morning and four o'clock in the afternoon. As a rule, there is no reason why they should not vote before they go to work. If these men are not to be paid an extra amount, certainly you will have to pay extra clerks so that there will be a chance for them to go to their supper. It is certainly unfair not to give them the compensation that rightly and justly belongs to them.

Coun. KEENE—Mr. President, I feel that a man or woman designated as an election officer should receive proper compensation. Certainly, if they are at all worthy of their hire they are worthy of an amount of pay commensurate with that received by men and women engaged in other activities. The law of the state is such at the present time, as I understand it, that they must finish with the officials they started with. In other words, there is no provision whereby certain election officials might work from six o'clock in the morning until four in the afternoon, and other officials work from four in the afternoon until such time as the tabulations are completed. In the ward in which I live, in the last election, two years ago, they had an eight o'clock closing, and I was at one precinct until quarter past four in the morning. There were men and women there who had been there since six o'clock the prior morning. I am in favor of paying them at least the amount suggested by Coun. Ruby.

Coun. WILSON—Mr. President, in order that my attitude may not be misunderstood by other councilors, as well as the one from the adjoining ward, let me say that I don't want to keep these men and women working extra hours. I simply want to make the point at this time, having myself voted in favor of the earlier closing, that I don't feel that this proposed extra amount for the longer hours is making good to these people for the work we put upon them.

Coun. DOWD—Mr. President, if there is no objection I would make an amendment so that the amounts will read respectively \$19 and \$21. I suggest that amendment if there is no objection.

Coun. RUBY—Mr. President, the only reason why I made the amounts \$15 and \$17 is that I believe if a clerk is getting \$11, and the hours of the opening of the polls are from six in the morning until four in the afternoon, he should get four dollars extra, we will say, for the additional five hours. I feel on the basis of the present pay that it might figure out that way, that that might make a proper proportionate sum in addition to what they were originally going to get. But if the amount was increased more than that, it might be claimed that it was out of proportion to what they were originally going to get. I believe it should not be put at a figure which might result in their losing a chance to get an increase to which no objection could be made based on the time suggested. Other than that I have no objection.

Coun. GUILD—Mr. President, it strikes me that the City Council as a body is placing itself in a ridiculous light before the general public. We have imposed upon the election officials at the next election hours that have been designated here as sweat shop hours. Now, I stand up here and say that I hope, as we all hope, that they will get adequate compensation for the hours we have imposed upon them. But before the hours were so fixed, it seems to me, was the time when we should have found out whether they could be adequately compensated or not, and it seems to me the height of ridiculousness for us to come in here now and say that this additional amount can be very readily found somewhere, through the Mayor or someone else, without consulting those who have responsibility for providing the compensation. It seems to me that to do a thing of that kind is simply to throw a sop to these people on whom we have inflicted the sweat shop hours, with the hope that somebody will take care of them. It seems to me the Council of the City of Boston, in placing itself in that position, is putting itself in a light before the general public that may fairly be styled ridiculous.

Coun. GILBODY—Mr. President, I did not at the start have any idea of making any remarks on the subject, but I do think the point made by both gentlemen on my right to sweat shop hours is not well taken. I am sorry that politics have been injected into this, which I consider a nonpartisan

proposition. I feel that it certainly cannot be claimed that this is not a democratic measure. It was so characterized in this state not very long ago by Senator David I. Walsh. I know that when I presented the order for eight o'clock closing two years ago, at the instance of David I. Walsh, he himself afterward said that he got 80,000 more votes than he would have received with four o'clock closing, defeating the candidate of the previous speaker who referred to sweat shop hours, the Hon. William M. Butler. This is not a question of sweat shop hours. It is a question of giving to all, regardless of who they are, an opportunity to vote. At the executive meeting two weeks ago, when the matter came up, Coun. Green brought out the argument that in his ward in Charlestown, teamsters and truck drivers had to get to work early in the morning, not being able to vote even at six o'clock; that they had to work all day long, not being able to vote before four o'clock; that they, in many instances, didn't have a chance to vote at all, and that the eight o'clock closing would mean perhaps 400 or 500 additional votes from that class of people. I call that to the attention of some of the members of the Council here, who are patriotic gentlemen, and who, of course, believe that the ballot is the American citizen's greatest weapon; and when this is referred to by my Republican brother as a sweat shop proposition, I think that is a mighty mean thing to say. I think the suggested opposition to these longer hours on the part of the public is merely a bughoo. The Election Commissioners were peeved last year when the Council voted for eight o'clock closing, and a bill was introduced in the Legislature to take that power away from this Board, leaving the decision with the Election Commissioners. But when the matter came before the able Governor of the Commonwealth, using his judgment he vetoed it and left the power where it rightly belongs, with the City Council of Boston.

Coun. WILSON—Mr. President, I wish to correct one erroneous statement by the gentleman from the other side of Neponset river. I was not elected here by Republicans, but am a nonpartisan councilor from Ward 17. I understand from the Board of Election Commissioners that the City of Boston is the only large city in the United States that has the late closing hour, and I would ask my brother, since he brings up the question of Republicans and Democrats, if he is under the impression that I labor under, that New York and Chicago are both overwhelmingly Democratic, but have the four o'clock closing hour?

Coun. GILBODY—Mr. President, at the start I referred particularly to the fact that it was a nonpartisan measure in this Council, before I made any extended remarks; and, in regard to New York and Chicago, let me simply say that Boston has led the way in every intelligent movement in this country, leaving it for New York, Chicago and every other large city to follow. That has been the case in educational and other matters. We are now leading the way here, and after a while the other cities will get on the hand wagon. We are simply endeavoring to give every American man and woman a chance to vote, regardless of the hours during which the polls are open in other places.

Coun. BUSH—Mr. President, I have been very deeply touched by the spectacle presented to us by one of the Council of the tremendous burden in the way of labor attached to these election officers, who have to work so late. We have had conjured up before us a picture of such abject, deep humiliation, such terrible labor, that it must indeed have touched all our hearts. There have been, however, a few inconsistencies in those same statements. In one breath one councilor tells us how long the hours are and how terrible the labor is during those long hours, how hard they have to work, and in the next breath he tells us that during the period between eight in the morning and four in the afternoon there is absolutely nothing to do, that they are just sitting there and waiting for voters to come in. It is indeed unfortunate that the Legislature has fixed the hour of opening the polls at six o'clock in the morning, and that the City Council has no way of changing that hour. It is unfortunate, because I think if it were possible for us to do so we might change the opening hour, and perhaps have the hours for the opening of the polls between 12 noon and eight in the evening, in which case the election officers would have to work only eight hours at the open polls. But the Legislature has fixed that opening hour, and we cannot tamper

with it. The only thing we can do is perhaps bring the matter before the Legislature again for repeal of or a change in the law which fixes that as the opening hour. The only other thing we can do is to give the voters a chance to cast their votes, those who have not had an opportunity at the other hours, between six and eight o'clock, say, in the evening. Referring to the compensation, there is no doubt that with the increase of hours the election officers are entitled to additional compensation, and I would be thoroughly willing that they should get it, as I believe all of us are. They certainly are entitled to it. But to say that it is a sweat shop method of making them work the extra four hours is the most amusing and most ridiculous thing I have heard. In the first place, it is only one day out of a year. There are not many of us here who have not stayed out all night the night before the Fourth or the Seventeenth of June, and stood on our feet, watching bonfires and that sort of thing. And how many of us have done that at other times, when there was not even occasion to display the interest that might be expected on those occasions. Yet here we hear this complaint and have a touching picture drawn of what a thousand election officers have to endure in these four hours, which, of course, they must put in if the polls are closed at eight o'clock instead of at four o'clock. I wonder if some of the councilors who want the polls closed at four o'clock are taking that position because of their deep interest in these men and women, on the human side, whether they are looking at it purely from that point of view, or whether they are looking at it from another point of view. As I have said, the state has fixed the opening hour at six o'clock in the morning, and that we cannot help. As far as extra compensation is concerned, I again repeat that I think they deserve extra compensation for the extra hours they have to put in.

Coun. GUILD—In answer to the doubts of the last speaker, Mr. President, I will say, on the question of closing the polls, that I voted the same way last year, when I was not a candidate, as this year, when I am.

The order was passed under suspension of the rule.

#### VALUE OF WELLINGTON HILL LAND.

Coun. McGRATH offered the following:

Ordered, That the chairman of the Board of Assessors be requested, through his Honor the Mayor, to forward to the City Council at its next meeting the answers to the following two questions:

1. Who was the assessor who appraised at 4 cents a foot the property on Wellington Hill, recently purchased by the city for school purposes at 40 cents a foot?

2. In the opinion of the chairman of the Board of Assessors, what is a fair estimate of the present value of the property?

The question came on suspension of the rule for passage of the order.

Coun. McGRATH—Mr. President, in introducing this order I have asked two questions. Question No. 1 is, Who was the member of our Assessing Department who assessed the property on Wellington Hill, recently purchased by the city for school purposes, at 4 cents a foot? And the second question is, What in the opinion of the chairman of the Board of Assessors, Mr. Edward T. Kelly, is a fair estimate of the present value of the property? When assessors go into a district of the City of Boston they are supposed to assess at a fair valuation whatever tangible property there is, and I assume that the Board of Assessors of the City of Boston have done so in the case of the Wellington Hill land. There is not a board of assessors in Massachusetts—and when I say Massachusetts that means New England—that can compare with the Board of Assessors of the City of Boston. I have been all over this Commonwealth in connection with assessments, in my business, and you cannot go into another city in the State of Massachusetts and get the assessed value of a piece of property right offhand as you can here in Boston. You can walk down now to the assessors' office and ask for the valuation of any property in the City of Boston, and get it immediately. I could take you, Mr. President, or any other member down there, and in five minutes locate the street, the owner, the assessed valuation, divided as to land and building, on any



property in the city, and Mr. Kelly stands at the head of assessors in this section of our country. Some twelve years ago an organization of real estate men in the City of New York sent over here to learn about our system here in connection with our assessing, which operated so successfully. Now, here is a situation in Dorchester, near the place where I live, where a man owns property assessed for 4 cents a foot. The Assessing Department says that that is the value. The time comes when Mr. Holbrook wants to dispose of the property, and under an administration of this kind, if you have anything you cannot sell otherwise, you sell it to the city. That is the story. They have three appraisers—Mr. Warren Freeman, the City of Boston's real estate expert, who will be remembered in connection with the Revere House site, that they tried to put over here a short time ago, and that we cut \$100,000 from,—the city auctioneer, Mr. Robert T. Fowler, and Mr. Richard F. Andrews, former street commissioner. Those three supposedly unbiased appraisers looked at this land in Dorchester and said it was worth 40 cents a foot, ten times what Mr. Kelly, who knows the real value of the property, says it is worth. Since we cut the Revere House site \$100,000 the boys have kept quiet, but they are now again at it. They feel that, as perhaps some of us are in political contests, we will not look after the citizens of our city as we might at some other time, and so they go into the Dorchester section and appraise property for ten times its value, and the city is going to take it at that price. Now, sir, something is wrong, and under my order I have asked the chairman of the Board of Assessors to tell us, first, who appraised the property at 4 cents a foot, and also, after his twenty years of service down there, what he thinks the true value of this property is. When we get that information, sir, when we have this Board of Assessors—this Board that is held up as a criterion for other boards to go by—tell us the facts, that when they assessed that for 4 cents a foot they were honest and sincere and assessed it fairly, as they will tell you, then I am going to ask that our city auctioneer, our city appraiser and the former member of the Board of Street Commissioners come here and tell us why they are making our city and our citizens pay for land ten times its assessed value. I feel that the chairman of our Board of Assessors can answer these questions satisfactorily, because he stands in the minds of the people of the City of Boston, as he stood twenty years ago, sincere, honest, and right in 99 per cent of his valuations.

Coun. RUBY—Mr. President, I have no objection to the order presented by the councilor on my left. It so happens that the land in question is located in my ward, and if I have any knowledge of my ward I ought to know just where the land is. It may be possible that the land was underassessed or overvalued. I do not know. It may be possible that the land in question is particularly suitable, as I believe is the case, for the purpose for which it has been purchased. In my opinion, in no section of Boston is there a more urgent necessity for the erection of a schoolhouse than there is in the Wellington Hill section of Dorchester, where

thousands of homes have been built within the last four or five years, and where they contemplate, I am informed, erecting an \$800,000 40-room schoolhouse which will be a credit to the City of Boston. Personally, there is no question in my mind that a satisfactory answer will come back. I don't know from my personal knowledge that 4 cents per foot for land in that section is an absolute undervaluation, but there might have been a reason which can be explained for what has taken place. I believe, so far as the location is concerned, that no more ideal place could be found for this purpose; and, of course, we as members of the City Council have no authority with reference to the taking of land for schoolhouse purposes, that being left to another department. I do feel, however, this being a matter in which, as a representative of that district, I am personally concerned, that I should make this statement to this body at this time.

The order was passed under suspension of the rule.

#### THE NEXT MEETING.

It was voted, on motion of Coun. FITZGERALD, that when the Council adjourned it be to meet on Monday, October 31, at 2 p. m.

#### ANNUITY TO MRS. CONDON.

Coun. GILBODY offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of John J. Condon, late member of the Police Department, who died from injuries received in the performance of his duty, such annuity to continue so long as said widow remains unmarried and to be charged to the appropriation for Police Department, Pensions and Annuities.

Referred to Executive Committee.

#### REPAVING OF STREETS IN WARD 11.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave Atherton street, Ward 11, with smooth paving.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Woodside avenue, Ward 11.

Orders passed under suspension of the rule.

#### GENERAL RECONSIDERATION.

On motion of Coun. LYNCH, the Board refused a general reconsideration of all action taken today.

Adjourned, on motion of Coun. GUILD, at 4.28 p. m., to meet on Monday, October 31, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, October 31, 1927.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., Coun. DOWLING, senior member, presiding, and all the members present.

## JURORS DRAWN.

Jurors were drawn, in the manner prescribed by law, the Mayor absent, viz.:

Forty traverse jurors, Superior Criminal Court, First Session, to appear December 5, 1927:

Charles E. Cooper, Ward 1; Albert E. Marley, Ward 1; Robert C. Turner, Ward 1; Frederick C. Bangs, Ward 2; John A. Barry, Ward 2; John McLaughlin, Ward 2; Thomas F. Croake, Ward 3; Augustus J. Olsen, Ward 4; Maurice Gray, Ward 5; Frederic O'Brien, Ward 5; George Raymond, Ward 5; Joseph F. Cavanagh, Ward 6; John Doolin, Ward 6; Martin F. Brown, Ward 8; William J. Doherty, Ward 8; Joseph G. Arakelyan, Ward 9; Edmund J. O'Connor, Ward 10; Joseph M. McGrath, Ward 11; Benjamin D. Milton, Ward 12; George L. Silk, Ward 12; Edward C. Ross, Ward 13; Albert J. Campbell, Ward 14; Daniel W. Sullivan, Ward 14; Patrick J. Garrity, Ward 15; John A. McSwain, Ward 15; Arthur F. Bourdon, Ward 16; Timothy A. Donohue, Ward 16; Harry R. Barnes, Ward 17; Lyman F. Hewitson, Ward 17; Thomas J. Leahy, Ward 17; Charles F. Manning, Ward 17; George E. Carlton, Ward 18; Herriek K. Johansen, Ward 18; John J. Pierce, Ward 18; Frederick Brebner, Ward 19; Francis A. Newton, Ward 19; I. Russell Goldsmith, Ward 21; John Lake, Ward 21; Lawrence Barron, Ward 22; John Wall, Ward 21.

Thirteen traverse jurors, Superior Criminal Court, Second Session, to appear December 5, 1927:

George C. McKenzie, Ward 1; Thomas Cullen, Ward 3; James N. Gilbride, Ward 4; Patrick J. Keefe, Ward 7; Patrick J. Joyce, Ward 10; Bernard H. Ruemker, Ward 10; William J. Harris, Ward 11; Didace D. Larocque, Ward 12; Patrick J. Curley, Ward 17; Edward A. Devine, Ward 17; Alexander P. Dewar, Ward 20; Frank W. Cotten, Ward 21; Frank P. Dignin, Ward 22.

Forty traverse jurors, Superior Criminal Court, Fourth Session, to appear December 5, 1927:

Denis Corbett, Ward 1; Michael J. Murphy, Ward 1; James L. Sullivan, Ward 1; Michael Andrew Hayes, Ward 2; David J. Brockman, Ward 3; William Honigsberg, Ward 3; Harry Belknap, Ward 5; Albert Friedman, Ward 5; Cornelius P. Donahue, Ward 6; Michael J. Reardon, Ward 6; John J. Connolly, Ward 7; William J. Lee, Ward 7; Thomas J. Sheehan, Ward 7; John J. Eagan, Ward 8; Harold P. Dakin, Ward 9; William F. Floyd, Ward 10; James F. Sullivan, Ward 10; Howard W. Kinports, Ward 12; Arthur H. Langill, Ward 12; Walter C. Reynolds, Ward 12; Frederick F. Ford, Ward 13; Axel Kellberg, Ward 13; Dennis Minton, Ward 13; Aaron Cooperstein, Ward 14; Morris Rothberg, Ward 14; Charles V. Huston, Ward 15; John F. Johnson, Ward 15; Gerald T. Halligan, Ward 16; Evans W. Flynn, Ward 17; George F. Glacy, Ward 17; Thomas F. Norton, Ward 17; Frank Wyman, Ward 4; James N. Hargraves, Ward 18; Roland H. Bailey, Ward 19; Ernest J. Inge, Ward 19; John F. Kennedy, Ward 19; Louis N. Zahn, Ward 19; Charles H. Tilton, Ward 21; Solon G. Warren, Ward 21; George L. Daniell, Ward 22.

Twenty-seven traverse jurors, Superior Civil Court, First Session, October Sitting, to appear December 5, 1927:

Maurice J. Digan, Ward 1; John J. Lynn, Ward 1; Arthur L. Kenney, Ward 3; Elbridge A. Cornish, Ward 4; Carlyle H. Green, Ward 4; Ferris Greenslet, Ward 5; Edgar W. Wentworth, Ward 6; Charles C. Halstrom, Ward 7; Frank X.

Wesner, Ward 7; Patrick J. Doyle, Ward 11; Dennis J. McLaughlin, Ward 11; Charles J. Webber, Ward 11; Philip Rosenberg, Ward 14; Walbert E. LaPlante, Ward 15; John J. O'Callahan; Ward 15; James F. Trainor, Ward 16; William J. Desmond, Ward 17; Percy H. Habliston, Ward 17; Edward J. Murphy, Ward 17; Joseph W. McDermott, Ward 17; James W. Clancy, Ward 18; Addison W. Keay, Ward 19; John P. G. Batchelder, Ward 21; Harry Broudy, Ward 21; Edward H. Richards, Ward 21; William L. Gleeson, Ward 22; T. Norman Mason, Ward 22.

Twenty-five traverse jurors, Superior Civil Court, Second Session, October Sitting, to appear December 5, 1927:

John D. Kavender, Ward 1; Frederic George Williams, Ward 3; William J. Trainor, Ward 4; Edward W. Warren, Ward 5; John P. O'Neil, Ward 8; John B. Panebianco, Ward 8; George F. Williams, Ward 8; John H. O'Connor, Ward 10; Patrick H. Sheehan, Ward 11; Jacob E. Lockhart, Ward 12; Hubert L. Kenney, Ward 13; Timothy J. Corcoran, Ward 14; Joseph M. Ahern, Ward 15; Denis R. Donoghue, Ward 15; Hinding Erickson, Ward 16; Joseph C. Brown, Ward 16; John J. Murphy, Ward 16; Joseph Bailey, Ward 17; James J. Boyle, Ward 17; John L. Carven, Ward 17; Edmund L. Poll, Ward 17; Frank A. McKenna, Ward 18; John S. Bone, Ward 20; Russell O. Gardner, Ward 20; Elmer H. Trow, Ward 22.

Twenty-six traverse jurors, Superior Civil Court, Third Session, October Sitting, to appear December 5, 1927:

James F. Conlin, Ward 1; Patrick J. Gallagher, Ward 2; Harry E. Steele, Ward 2; Coleman P. Gill, Ward 2; Frank J. Scully, Ward 3; Charles H. Spence, Ward 3; Martin Kane, Ward 7; Paul B. Gill, Ward 8; Michael J. Bradley, Ward 10; Richard E. Gilleran, Ward 10; William F. Brennan, Ward 11; John O. Clarke, Ward 11; William Francis, Jr., Ward 13; William Finn, Ward 14; Arthur J. Clarke, Ward 15; Charles T. Reardon, Jr., Ward 15; Robert H. Magwood, Ward 16; Michael J. Doyle, Ward 17; Henry DeWitt Smith, Jr., Ward 17; Alonzo E. Fletcher, Ward 19; Michael J. Moore, Ward 19; Floyd R. Haynes, Ward 20; George A. O'Neill, Ward 20; Joseph A. Wahl, Ward 20; Charles A. Nason, Ward 21; William F. Hazell, Ward 22.

Nineteen traverse jurors, Superior Civil Court, Fourth Session, October Sitting, to appear December 5, 1927:

James J. McGovern, Ward 2; Robert B. Beers, Ward 3; Joseph T. Cuddy, Ward 3; William J. O'Donnell, Ward 5; Matthew Carey, Ward 6; William A. Cronin, Ward 6; William G. Mountfort, Ward 7; William H. Barker, Ward 8; William A. Burke, Ward 10; Patrick J. Guinan, Ward 10; Murdock H. McNeil, Ward 15; M. Wilson Cordiner, Ward 16; Thomas C. Smail, Ward 16; George Weiffenback, Ward 12; August A. Nylund, Ward 17; Fred T. Wilson, Jr., Ward 18; Albert A. Hayes, Ward 19; W. Harris Stickney, Ward 21; Lewis J. Bacon, Ward 22.

Twenty-seven traverse jurors, Superior Civil Court, Fifth Session, October Sitting, to appear December 5, 1927:

Alvin D. Sawyer, Ward 1; Franklin K. White, Ward 4; William H. Kyte, Ward 5; Andrew J. Dooley, Ward 6; William P. Fidelle, Ward 6; John F. Field, Ward 6; Timothy J. Daly, Ward 7; Thomas F. Cooley, Ward 10; Michael F. Duggan, Ward 11; Conrad Jensen, Ward 12; Charles W. Mason, Ward 12; Roland B. Robinson, Ward 12; Harold Wald, Ward 12; Thomas J. O'Brien, Ward 14; Francis A. Hayes, Ward 14; Thomas E. Ryan, Ward 14; Albert T. Youngclaus, Ward 14; Arthur T. Shea, Ward 15; John H. Lee, Ward 16; Lawrence J. McMurray, Ward 17; Christopher A. Erskine, Ward 18; William P. O'Donnell, Ward 19; James V. Sweeney, Jr., Ward 19; George N. Graves, Ward 20; Clarence Wallbank, Ward 20; Walter V. Batson, Ward 21; Charles W. Campbell, Ward 21.

Twenty-three traverse jurors, Superior Civil Court, Sixth Session, October Sitting, to appear December 5, 1927:

Timothy J. Doherty, Ward 2; James P. Corcoran, Ward 4; John W. McCourt, Ward 8; James W. Hill, Ward 10; George Egan, Ward 11; Henry L. Gormley, Ward 11; William E. McMann,

Ward 12; Thomas Bell, Ward 14; Walter C. Sumner, Ward 14; Walter H. Fletcher, Ward 15; Charles H. Lowe, Ward 15; James F. Tobin, Ward 15; Alexander A. Brown, Ward 16; Walter J. Cantwell, Ward 17; Edward J. Gildca, Ward 17; Richard O'Brien, Ward 17; Francis W. Sweeney, Ward 17; Ernest G. Colpitts, Ward 18; William C. A. Stemmler, Ward 20; Arthur N. Cruff, Ward 21; Cornelius Tangney, Ward 22; George W. Watt, Ward 21; James Ferguson, Ward 22.

Twenty-two traverse jurors, Superior Civil Court, Seventh Session, October Sitting, to appear December 5, 1927:

William J. Cadogan, Ward 1; Robert H. McLaughlin, Ward 1; John J. Silva, Ward 2; Harry H. Gay, Ward 5; Henry J. Sullivan, Ward 6; Michael J. Murphy, Ward 8; John J. McDonald, Ward 8; Frank Stokes, Ward 9; Ernest J. Carver, Ward 10; Charles J. Munchbach, Ward 10; Melvin K. Carlson, Ward 11; Thomas J. Crowley, Ward 11; David I. Goldberg, Ward 12; John Mortimer, Ward 12; John H. Griffin, Ward 13; John F. Shea, Ward 15; Fred L. Blackmer, Ward 19; Gustave Fischer, Jr., Ward 19; Louis J. Van Ham, Ward 20; Nathan E. Lindsey, Ward 21; Arthur L. Muldoon, Ward 22; Dennis J. Ryan, Ward 22.

#### CUTIVE APPOINTMENTS.

The following were received:

City of Boston,

Office of the Mayor, October 27, 1927.

To the City Council.

Gentlemen,—Subject to the confirmation of your honorable body I hereby appoint the following-named persons as constables for the City of Boston:

Arthur L. Whitney, 13 Bartlett street, Ward 2.

William E. Costaldo, 56 Prince street, Ward 3.

Joseph Weiner, 35 Havelock street, Ward 14.

David Tobey, 40 Cheney street, Ward 12.

John H. Brady, 6 Bulfinch place, Ward 3.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Office of the Mayor, October 21, 1927.

To the City Council.

Gentlemen,—Subject to the approval of your honorable body I herewith appoint the following-named persons as weighers:

Of Coal: James T. Lyons, 49 Kimball street.

Of Goods: Christopher B. Kennedy, with William Culkeen & Sons, Inc., 20-26 Marginal street, East Boston; Ernest J. Ford, with William Culkeen & Sons, Inc., 20-26 Marginal street, East Boston; Richard J. Ryan, with Dehydrating Fish Company, 258 Northern avenue; Richard W. Melville, with F. Johnson Company, 401 Summer street; Francis L. Owens, with F. Johnson Company, 401 Summer street.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Severally laid over a week under the law.

#### REMOVAL OF CONSTABLES.

The following was received:

City of Boston,

Office of the Mayor, October 24, 1927.

Mr. James Donovan,

City Clerk.

Dear Sir,—I have this day notified Barnet Serkin of 32 Rochester street, Boston, Mass., and Gerald W. Garten, of 41 Granville street, Dorchester, Mass., that they have been removed from the position of constables of the City of Boston, as per copies of letter attached.

Yours truly,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

#### SALE OF HYDE PARK LAND.

The following was received:

City of Boston,

Office of the Mayor, October 29, 1927.

To the City Council.

Gentlemen,—Inclosed find an order authorizing his Honor the Mayor, in the name and behalf of

the City of Boston, to sell at public auction, at an upset price of \$500, and to convey by an instrument satisfactory in form to the Law Department, all of the right, title and interest which the City of Boston has in and to a certain parcel of land in Hyde Park, comprising lot No. 63, on Division 4, on plan of the Fourth and Fifth Divisions of section 6 of Real Estate and Building Company's land in Hyde Park, recorded with Norfolk Registry of Deeds as No. 168 on file of said registry, bounded northerly on Thatcher street, fifty feet; easterly on lot No. 64, on said Fourth Division, one hundred seventy-five feet; southwesterly on lot No. 92 on said Fourth Division, fifty-seven and 33-100 feet; westerly on Lot 62 on said Fourth Division, one hundred forty-six feet, containing 8,025 square feet of land, more or less, the land herein described being the same premises conveyed to the Town of Hyde Park by deed of Real Estate and Building Company, a Massachusetts corporation dated July 16, 1890, and recorded with Norfolk Registry of Deeds, Book 671, page 6.

The premises herein referred to is vacant land and was formerly used for a small hose house for the Hyde Park Fire Department purposes but has not been used for any purpose for many years. Mr. Warren F. Freeman, municipal real estate expert, for the City of Boston, has stated that in his opinion \$500 is a fair price for the land.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Ordered, That his Honor the Mayor be and he hereby is authorized and empowered in the name and behalf of the city to sell at public auction, at an upset price of \$500, and to convey by an instrument satisfactory in form to the Law Department, all of the right, title and interest of the City of Boston in and to a certain parcel of land situated on Thatcher street in that part of Boston called Hyde Park, bounded and described as follows:

A certain parcel of land in Hyde Park, comprising lot No. 63, on Division 4, on plan of Fourth and Fifth Divisions of section 6 of Real Estate and Building Company's land in Hyde Park, recorded with Norfolk Registry of Deeds as No. 168 on files of said registry, bounded as follows: Northerly on Thatcher street, fifty feet; easterly on lot No. 64 on said Fourth Division, one hundred seventy-five feet; southwesterly on lot No. 92 on said Fourth Division, fifty-seven and 33-100 feet; westerly on lot No. 62 on said Fourth Division, one hundred forty-six feet, containing 8,025 square feet of land, more or less, being the same premises conveyed to the Town of Hyde Park by deed of Real Estate and Building Company, a Massachusetts corporation, dated July 16, 1890, and recorded with Norfolk Registry of Deeds, Book 671, page 6.

Referred to the Committee on Public Land.

#### TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,

Office of the Mayor, October 31, 1927.

To the City Council.

Gentlemen,—I am in receipt of the attached requests for transfers within departmental appropriations and respectfully recommend adoption of the accompanying orders.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Law Department:

From the appropriation for A-1, Permanent Employees, Claim Agent, 1 at \$2,500 per year, \$180, to the appropriation for A-1, Permanent Employees, Stenographer, 1 at \$1,000 per year, \$180.

Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Library Department:

From the appropriation for B-39, General Plant, \$4,060, to the appropriation for B-3, Advertising and Posting, \$10; B-28, Expert, \$1,000; C-5, Motorless Vehicles, \$50; E-13, General Plant, \$3,000.



Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Fire Department:

From the appropriation for B-28, Expert, \$200, to the appropriation for B-35, Fees, Service of Venires, etc., \$200.

Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Paving Service:

From the appropriation for A-1, Permanent Employees, Chauffeurs, Teamsters, Laborers, 17 at \$5-\$5.50 per day, \$700, to the appropriation for A-1, Permanent Employees, Draughtsmen, 3 at \$1,800 to \$1,900 per year, \$700.

Referred to the Executive Committee.

#### PROPOSED RIVERWAY IMPROVEMENT.

The following was received:

City of Boston,  
Office of the Mayor, October 31, 1927.  
To the City Council.

Gentlemen,—Under date of September 26, 1927, I submitted to your honorable body an order providing among other things for the appropriation of \$7,500 from the income of the Parkman Fund for Riverway Improvements. This order was subsequently approved by your body and the money is now available for the desired improvements. It develops, however, after the opening of the bids for the proposed work, that the sum available is insufficient and that an additional sum of \$4,000 is required in order to award the necessary contract. I submit herewith an order providing for this additional amount and in view of the urgency of completing the work before the cold weather sets in, I respectfully recommend its immediate consideration by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$4,000 be and the same hereby is appropriated from the income of the Parkman Fund, to be expended under the direction of the Park Commission, for the maintenance and improvement of the Common and parks in existence, on January 12, 1887, as follows:

Riverway Improvements, \$4,000.

City of Boston,  
Park Department, October 25, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—You are respectfully asked to make a request upon the City Council for the transfer of the sum of \$4,000 from the income of the George F. Parkman Fund to the special appropriation, "Riverway Improvements."

The reason for this request is that advertised proposals were publicly opened and read at this office on October 21, 1927, for widening Riverway road, between Fenway and Longwood avenue, and the lowest bid submitted for this work was the estimated sum of \$10,572. As the total appropriation for Riverway Improvements is only \$7,500, it is necessary that the additional sum of \$4,000 be appropriated to make the necessary improvements in the Riverway in order that this work may be completed before the cold weather.

I would respectfully ask that this appropriation be made as soon as possible.

Very respectfully yours,  
WILLIAM P. LONG,  
Chairman.

Referred, on motion of Coun. GUILD, to the Executive Committee.

#### RUBBISH IN WARDS 8 AND 10.

The following was received:

City of Boston,  
Office of the Mayor, October 21, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in answer to your orders of October 3, 1927, relative to the removal of all rubbish and debris from the

streets of Ward 10, and the removal of all garbage and ashes from the streets of Ward 8.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.  
Placed on file.

City of Boston,  
Public Works Department,  
October 17, 1927.

To the Honorable the Mayor.

I return herewith attached two orders of the City Council relative to the removal of all rubbish and debris from the streets of Ward 10, and the removal of all garbage and ashes from the streets of Ward 8.

Replying to the order relative to Ward 8, would say that the garbage and ashes are collected regularly in this district, and I cannot find any reason for the passage of any such order.

As to the removal of all rubbish and debris from Ward 10, would state that all the smooth and granite block pavements in this ward are cleaned twice a week and the most of the dirt streets at least once a week. I believe that this section is taken care of in a proper and efficient manner.

Respectfully,

J. H. SULLIVAN,  
Commissioner of Public Works.  
Placed on file.

#### ADJUSTMENT OF SANATORIUM BUDGET.

The following was received:

City of Boston,  
Office of the Mayor, October 24, 1927.  
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the president of the City Hospital Trustees relative to an adjustment which is necessary within the personal service item of the budget of the Sanatorium Division of the hospital. The facts in the matter are clearly stated in the accompanying letter, hence, I recommend adoption of the accompanying transfer order.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer:

From the appropriation for Health Department, A-1, Permanent Employees, Laryngologist, 1 at \$1,200 per year, \$900, to the appropriation for Hospital Department, Sanatorium Division, A-1, Permanent Employees, Laryngologist, Visiting, 1 at \$1,200 per year, \$900.

City of Boston,  
Hospital Department (Sanatorium Division),  
October 14, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—On October 1, 1926, Dr. Charles Shay, visiting laryngologist of the Boston Sanatorium Department, was granted a leave of absence with pay, on account of illness. While serving the Boston Sanatorium Department, Doctor Shay gave one day at the Sanatorium and one day at its Out-Patient Department. As his name had always appeared on the Out-Patient Department roll, his salary appropriation from April 1, 1927, through December 31, 1927, was transferred to the Health Department.

The matter of an extension of time for Doctor Shay was brought to the attention of the Boston City Hospital Trustees, and this extension was approved by you through September 30, 1927, with salary. While Doctor Shay's position was placed under the jurisdiction of the Health Department, we now find that his services will be rendered at the Sanatorium Division. In view of the fact that Doctor Shay was informed by the Board that his leave of absence was with salary through September 30, 1927, the Board feels morally bound to adjust this matter in Doctor Shay's behalf.

It was voted at the Board meeting held on October 7, 1927, that after January 1, 1928, the position of assistant laryngologist at the Sanatorium Division, carrying a salary of \$600 per year, be abolished, and that Doctor Shay, as visiting laryngologist, would serve two days at the sanatorium for his present salary.

The appropriation allotted to the Sanatorium Division will be adequate enough, through savings on salaries to date, to meet this \$900 expend-



diture necessary to cover Doctor Shay's salary, and following the instructions of the Board, I respectfully request your approval to the re-establishment of the position of visiting laryngologist at the sanatorium for the year 1927, with a salary of \$1,200, present incumbent Dr. Charles E. Shay.

Very respectfully yours,  
JOSEPH P. MANNING,  
President Boston City Hospital Trustees.  
Referred to the Executive Committee.

#### PARK LAND, ROXBURY.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in answer to your order of October 17, 1927, relative to the purchase of a piece of land at the junction of Fairland, Moreland and Winthrop streets, Roxbury, to be used for park purposes.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, October 24, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of October 20, with inclosure, order from the City Council that the Park Department be requested to make provisions in the budget for the purchase of a piece of land at the junction of Fairland, Moreland and Winthrop streets, Roxbury, to be used for park purposes.

In reply I desire to say that this money cannot be provided for in the budget—it only provides for expenditures for maintenance. This being a purchase of land, will necessarily have to be provided for in a loan order.

The question of this purchase of land has been considered by the Board a number of times, but no action has been taken as the Board believes it is more advisable to expend such money as may be available for the improvement of the playgrounds now in existence.

At a later date, when the purchase of playgrounds in various sections of the city is to be considered, this piece of land might be included in the list, as the City Planning Board has stated that this particular parcel of land offers unusual opportunity to secure for the children of the district a little park of rare natural beauty in a location where it would meet a distinct need.

Very respectfully yours,  
W. P. LONG, Chairman.  
Placed on file.

#### REPAVING OF WYMAN STREET.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works in answer to your order of October 3, 1927, relative to the repaving of Wyman street, Ward 10, with smooth paving.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 19, 1927.  
To the Honorable the Mayor.  
I return herewith order of the City Council requesting the Commissioner of Public Works to repave Wyman street with smooth paving and report the estimated cost as \$21,000.

This will be considered in the 1928 program.  
Respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### SMOOTH PAVEMENT FOR MORELAND STREET.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of October 3, 1927, relative to the repaving with smooth paving Moreland street, Ward 12.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 19, 1927.  
To the Honorable the Mayor.  
I return herewith order of the City Council requesting smooth pavement in Moreland street, Ward 17.

Moreland street has, at present, a macadam roadway about 2,500 feet long. To reconstruct with a smooth pavement would cost \$30,000.

As it is an important thoroughfare it will be placed in the 1928 program.

Respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### SMOOTH PAVEMENT FOR F STREET.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in answer to your order of September 12, 1927, relative to the resurfacing with smooth paving F street, from First to Fourth streets, Ward 6.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 19, 1927.  
To the Honorable the Mayor.  
I return herewith order of the City Council requesting the Commissioner of Public Works to repave with smooth paving F street, from First street to Fourth street, and report the estimated cost as \$19,000.

This will be considered in the 1928 program.  
Respectfully,

J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### RESURFACING BAINBRIDGE STREET.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in answer to your order of September 12, 1927, relative to the resurfacing of Bainbridge street, Ward 11.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 19, 1927.  
To the Honorable the Mayor.  
I return herewith order of the City Council requesting the Commissioner of Public Works to resurface Bainbridge street, and report the estimated cost as \$30,000.

This will be considered in the 1928 program.

Respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

# REPAVING WARD AND PRENTISS STREETS.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in answer to your order of September 12, 1927, relative to the repaving with smooth paving Ward and Prentiss streets, Ward 9.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 19, 1927.

To the Honorable the Mayor.

I return herewith order of the City Council requesting the Commissioner of Public Works to repave with smooth paving, Ward street and Prentiss street, and report the estimated cost as follows:

|                      |          |
|----------------------|----------|
| Ward street.....     | \$25,000 |
| Prentiss street..... | 16,000   |

This work will be considered in the 1928 program.

Respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

# RESURFACING EAST THIRD STREET.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in answer to your order of October 3, 1927, relative to the resurfacing of East Third street, from N street to Farragut road, Ward 6.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 19, 1927.

To the Honorable the Mayor:

I return herewith order of the City Council requesting the Commissioner of Public Works to resurface East Third street, from N street to Farragut road, and report the estimated cost as \$30,000.

This will be considered in the 1928 program.

Respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

# REPAVING BORDER STREET.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of September 26, 1927, relative to the including in the 1928 budget of a sum sufficient to provide for the repaving of Border street, from Central square to Condor street, and Sumner street, its entire length.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 19, 1927.

To the Honorable the Mayor.

I return herewith order of the City Council, dated September 26, 1927, requesting the Commissioner of Public Works to include in the annual budget a sum sufficient to pave Border street, from Central square to Condor street, and Sumner street, its entire length.

The estimated cost of repaving Border street is \$97,000 and Sumner street is \$94,000.

These streets will be included in the list from which the 1928 program will be selected.

Respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

# RESURFACING EAST SECOND STREET.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of October 3, 1927, relative to the resurfacing of East Second street, from N street to Farragut road, Ward 6.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 19, 1927.

To the Honorable the Mayor.

I return herewith order of the City Council requesting the Commissioner of Public Works to resurface East Second street, from N street to Farragut road, and report the estimated cost as \$31,000.

This will be considered in the 1928 program.

Respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

# REPAVING OF BILLERICA STREET.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in answer to your order of September 12, 1927, relative to the removing of the granite block paving now on Billerica street, Ward 3, and to repave said street with smooth paving.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 19, 1927.

To the Honorable the Mayor.

I return herewith order of the City Council requesting the Commissioner of Public Works to repave with smooth paving Billerica street, and report the estimated cost as \$8,000.

This will be considered in the 1928 program.

Respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

# PROGRESS IN REPAVING WEST THIRD STREET.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in answer to your order of August 22, 1927, relative to the progress made in repaving West Third street, South Boston.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 19, 1927.

To the Honorable the Mayor.

I return herewith order of the City Council, dated August 22, 1927, requesting the Commissioner of Public Works to report the progress made in repaving West Third street, South Boston, and report that on September 1, 1927, the Mayor's authority was requested for permission to resurface West Third street, from B street to Dorchester avenue.

In the meantime the force was engaged in resurfacing E street, from Fargo street to First street, an extensive piece of work still in progress.

Respectfully,

J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### REPAVING OF FORBES STREET.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of October 3, 1927, relative to the repaving with smooth paving Forbes street, Ward 10.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 19, 1927.

To the Honorable the Mayor.

I return herewith order of the City Council requesting the Commissioner of Public Works to repave Forbes street with smooth paving and report the estimated cost as \$15,000.

This will be considered in the 1928 program.

Respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### SMOOTH PAVING OF CHESTNUT AVENUE.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works in reply to your order of October 3, 1927, relative to the repaving with smooth paving Chestnut avenue, Ward 10.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 19, 1927.

To the Honorable the Mayor.

I return herewith order of the City Council requesting the Commissioner of Public Works to repave Chestnut avenue with smooth paving and report the estimated cost as \$20,000.

This will be considered in the 1928 program.

Respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### SMOOTH PAVING FOR WIGGLESWORTH STREET.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works in reply to your order of October 17, 1927, relative to the repaving with smooth pavement Wigglesworth street, from Huntington avenue to Tremont street, Ward 10.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 24, 1927.

To the Honorable the Mayor.

Returning herewith order of the City Council, dated October 17, requesting the Commissioner of Public Works to repave with smooth pavement Wigglesworth street, from Huntington avenue to Tremont street, I report the estimated cost as \$5,000, but the work will have to be deferred until

next year as the season is too late now to award a contract for construction.

Respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### SMOOTH PAVING FOR WORTHINGTON STREET.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of October 17, 1927, relative to the repaving with smooth paving Worthington street, from Huntington avenue to Tremont street, Ward 10.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 24, 1927.

To the Honorable the Mayor.

Returning herewith order of the City Council, dated October 17, requesting the Commissioner of Public Works to repave with smooth pavement Worthington street, from Huntington avenue to Tremont street, I report the estimated cost as \$3,500, but the work will have to be deferred until next season as it is too late this year to award a contract for construction.

Respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### SMOOTH PAVING FOR ATHERTON STREET.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of October 17, 1927, relative to the repaving of Atherton street, Ward 11, with smooth paving.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 24, 1927.

To the Honorable the Mayor.

Returning herewith order of the City Council, dated October 17, requesting the Commissioner of Public Works to repave with smooth pavement Atherton street, I report the estimated cost as \$10,000, but the work will have to be deferred until next year as the season is too late now to award a contract for construction.

Respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### SMOOTH PAVING FOR WOODSIDE AVENUE.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of October 17, 1927, relative to the repaving with smooth pavement Woodside avenue, Ward 11.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, October 24, 1927.  
To the Honorable the Mayor.

Returning herewith order of the City Council, dated October 17, requesting the Commissioner of Public Works to repave with smooth pavement



Woodside avenue, I report the estimated cost as \$2,500, but the work will have to be deferred until next year as the season is too late now to award a contract for construction.

Respectfully,

J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### RESURFACING RIVER STREET.

The following was received:

City of Boston,

Office of the Mayor, October 21, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in answer to your order of September 26, 1927, relative to the resurfacing of River street, Ward 17.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department, October 17, 1927.  
To the Honorable the Mayor.

I return herewith order of City Council requesting the Commissioner of Public Works to resurface River street, Ward 17.

River street, between Mattapan square and Dorchester Lower Mills, is approximately 7,015 feet long, traversed by a double track which is in a very unsatisfactory condition.

Discussing this condition with the Boston Elevated Railway officials, stating our desire to improve the roadway and asking their co-operation on the track repairs, we are met with a request for delay inasmuch as the Railway Company, has in mind the discontinuing of the track location in River street.

As it is not possible to resurface the roadway with the tracks in their present condition the department forces will make the necessary repairs and keep the roadway in as satisfactory a condition as possible.

Respectfully,

J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### SMOOTH PAVING FOR K STREET.

The following was received:

City of Boston,

Office of the Mayor, October 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of September 26, 1927, relative to the repaving with smooth paving K street, from First street to Broadway, Ward 6.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department, October 19, 1927.  
To the Honorable the Mayor.

I return herewith order of the City Council requesting the Commissioner of Public Works to repave with smooth paving K street, from First street to Broadway.

The estimated cost to repave with asphalt or bitulithic is \$15,000.

The money is not available and will therefore take its place in the 1928 activities.

Respectfully,

J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### RESURFACING OF BUNKER HILL STREET.

The following was received:

City of Boston,

Office of the Mayor, October 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of September 26, 1927, relative to the resurfacing of Bunker Hill street from Fay square to Chelsea street, Charlestown.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 19, 1927.

To the Honorable the Mayor.

I return herewith order of the City Council requesting the Commissioner of Public Works to resurface Bunker Hill street, from Fay square to Chelsea street, Charlestown.

The estimated cost is \$88,000 and will be considered in the 1928 program.

Respectfully,

J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### SMOOTH PAVING FOR ST. ALPHONSUS STREET.

The following was received:

City of Boston,

Office of the Mayor, October 25, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of October 17, 1927, relative to the repaving with smooth pavement St. Alphonsus street, from Huntington avenue to Smith street, Ward 10.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department,  
October 24, 1927.

To the Honorable the Mayor.

Returning herewith order of the City Council, dated October 17, requesting the Commissioner of Public Works to repave with smooth pavement St. Alphonsus street, from Huntington avenue to Smith street, I report the estimated cost as \$3,800, but the work will have to be deferred until next year as the season is too late now to award a contract for construction.

Respectfully,

J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### SMOOTH PAVING FOR WARD 9 STREETS.

The following was received:

City of Boston,

Office of the Mayor, October 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of September 26, 1927, relative to the repaving with smooth paving the following streets in Ward 9: Highland, Regent, Lambert, and Ray streets, Lambert avenue.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department,  
October 19, 1927.

To the Honorable the Mayor.

I return herewith order of the City Council, dated September 26, 1927, that the Commissioner of Public Works be requested to repave with smooth paving the following streets:

Highland street, estimated cost \$52,500, asphalt or bitulithic.

Regent street, estimated cost, \$25,800, asphalt or bitulithic.

Lambert avenue, estimated cost, \$16,800, asphalt or bitulithic.

Lambert street, estimated cost, \$8,500, asphalt or bitulithic.

Ray street, estimated cost, \$4,200, asphalt or bitulithic.

As this year's appropriation is about exhausted this work will have to take its place in the program for 1928.

Respectfully,

J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

## COST OF CONNECTING ST. ANN STREET.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of September 26, 1927, relative to the cost of connecting St. Ann street with Washington street under the West Roxbury branch of the New York, New Haven & Hartford Railroad in Ward 19.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 19, 1927.

To the Honorable the Mayor.

Relative to an order of the City Council dated September 26, 1927 requesting the cost of connecting St. Ann street with Washington street, under the West Roxbury Branch of the New York, New Haven & Hartford Railroad in Ward 19.

The estimated cost of this project is \$475,000. It calls for a very extensive and difficult construction and will, in all probability, meet with opposition from the railroad company.

The proposed construction requires the building of heavy retaining walls to support the railroad embankment. Furthermore, we are given to understand that this section is underlaid with a stratum of quicksand which might prove disastrous to the tracks as excavation for the walls proceeded.

It does not appear that the benefit to be gained would warrant so difficult and expensive a proposition.

Respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

RESURFACING CAMBRIDGE STREET,  
CHARLESTOWN.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of September 26, 1927, relative to the providing for the resurfacing of Cambridge street, Charlestown.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 19, 1927.

To the Honorable the Mayor.

I return herewith order of the City Council requesting the Commissioner of Public Works to repave Cambridge street, Charlestown. The estimated cost to repave with granite block is \$48,000.

The money is not available and will therefore take its place in the 1928 activities.

Respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

## SMOOTH PAVING FOR FALCON STREET.

The following was received:—

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of September 12, 1927, relative to the repaving with smooth paving Falcon street, Ward 1, from Border street to Glendon street.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 19, 1927.

To the Honorable the Mayor.

I return herewith order of the City Council requesting the Commissioner of Public Works to

repave with smooth paving Falcon street, from Border street to Glendon street, and report the estimated cost as \$45,700.

This will be considered in the 1928 program.

Respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

## COST OF CONNECTING STREETS, WARD 19.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works in reply to your order of September 26, 1927, relative to the estimated cost of connecting Archdale road and Ashmore street under the main line of the New York, New Haven & Hartford Railroad in Ward 19.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 19, 1927.

To the Honorable the Mayor.

I return herewith order of the City Council, dated September 26, 1927, requesting the estimated cost of connecting Archdale road and Ashmore street under the main line of the New York, New Haven & Hartford Railroad in Ward 19.

The estimated cost is \$130,000.  
The proposed plan of this extension under the Providence Railroad, while it shows only twelve feet headroom to roadway, is three feet below flood line in Stony Brook conduit which means that, in flood times, the proposed street would be three feet under water.

Respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

## REPAVING STREETS, WARD 8.

The following was received:

City of Boston,  
Office of the Mayor, October 25, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of September 12, 1927, relative to the repaving with smooth paving the following streets in Ward 8:

East Dedham street, from Albany street to Washington street.

Harrison avenue, from Union Park to East Newton street.

East Canton street, from Albany street to Washington street.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
October 19, 1927.

To the Honorable the Mayor.

I return herewith order of the City Council requesting the Commissioner of Public Works to repave with smooth paving, the following streets:

East Dedham street, from Albany street to Washington street, estimated cost, \$25,000.

Harrison avenue, from Union Park to East Newton street, estimated cost, \$36,000.

East Canton street, from Albany street to Washington street, estimated cost, \$20,700.

As there are no funds available this work will be placed on the list for selection in 1928.

Respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

## WILLIAM AMERENA PLAYGROUND.

The following was received:

City of Boston,  
Office of the Mayor, October 27, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department,

in reply to your order of October 17, 1927, in regard to the conferring of the name Amerena Park upon the Wellington Street Playground, Ward 1.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, October 24, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of October 20, with inclosure, order from the City Council that the Park Commission be requested to confer the name of Amerena Park upon the Wellington Street Playground, Ward 1.

In reply I desire to say that this matter was presented to the Board at a meeting held on October 14, 1927 and in the regular order of business was laid over for a report. This report will be submitted at a meeting to be held November 4, 1927, and there is no doubt in my mind but the name "William Amerena Playground" will be given to the new playground on Wellington street, that was formerly given to the old Cottage Street Playground before it was taken over by the School Department.

Very truly yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

#### DORCHESTER TUNNEL RESURFACING STREETS.

The following was received:

City of Boston,  
Office of the Mayor, October 28, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Transit Department, in reply to your order of October 17, 1927, relative to the repairing and resurfacing each section of any Dorchester street excavated incident to the construction of the new Dorchester Tunnel, and particularly Park street.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Transit Department, October 27, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston,

Dear Sir,—Herewith is returned order of the City Council, dated October 17, relative to resurfacing certain streets excavated by this department for the Dorchester Rapid Transit Extension. On account of the extreme depth of this excavation, a permanent paving surface cannot be installed until next year. In the meantime, the department will see that the temporary surface is kept in safe condition.

Yours very truly,  
CITY OF BOSTON TRANSIT DEPARTMENT,  
T. F. SULLIVAN, Chairman.  
(Inclosed was the order.)  
Placed on file.

#### DORCHESTER TUNNEL WORK REPAIRING STREETS.

The following was received:

City of Boston,  
Office of the Mayor, October 24, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of October 17, 1927, relative to the repairing and resurfacing forthwith, each section of any Dorchester street excavated incident to the construction of the new Dorchester Tunnel, and particularly Park street.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, October 24, 1927.  
To the Honorable the Mayor.  
I return order of the City Council, dated October 17, 1927, relative to repairs to intersections of Dorchester street disturbed by the Transit Department, and report that the Transit Department is

making preparations to restore all areas disturbed by the Tunnel construction.

Respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Place on file.

#### PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

##### Claims.

Morris Alman, for compensation for damage to property at 993 Hampden street, caused by building being flooded.

W. I. Amoss, for compensation for loss of stick-pin at City Hospital.

James E. Armstrong, for compensation for damage to automobile by city truck.

Richard B. Barry, for compensation for damage to property at 79 Sydney street, caused by stoppage in catch-basin.

Yetta Beerman, for compensation for damage to automobile caused by an alleged defect at 360 Massachusetts avenue.

Ethel and Louis Bilinger, for compensation for damage to property at 144 Quincy street, caused by defective sewerage system.

Blake & Co., for compensation for damage to truck by city truck.

Beatrice L. Bowditch, for compensation for damage to property at 1681 Commonwealth avenue, caused by defective sewerage system.

Magne O. Bruno, for compensation for damage to automobile by city cart.

Brooks, Gill & Co., for compensation for damage to property at 54 Canal street, caused by backing up of sewage.

H. G. Bryan, for compensation for damage to laundry, etc., at 88 Boylston street, Jamaica Plain, caused when pipes were being cleaned out.

Ellen Buttomer, for compensation for injuries caused by an alleged defect at 313 Norfolk avenue.

Elizabeth J. Callaban, for compensation for damage to property at 144 D street, caused by backing up of sewage.

Malvina Camille, for compensation for collapse of boiler at 179 Weld street, caused by shutting off water.

Mrs. Leslie Clark, for compensation for damage to clothing caused by painted post on Bedford street.

Thomas Connolly, for compensation for injuries caused by city truck.

P. W. Coughlin, for compensation for damage to property at 124 D street, caused by backing up of sewage.

Beneditto DeMaggio, for compensation for damage to property at 20 South Margin street, caused by defective sewerage system.

Joseph and Elizabeth Duffy, for compensation for damage to property at 135 D street, caused by backing up of sewage.

Mary E. Dunlea, for compensation for damage to property at 12 Call street, Charlestown, caused by city truck.

Edward F. Dunn, for compensation for damage to clothing caused by painted post at corner of Avon and Chauncy streets.

Catherine Foley, for compensation for damage to hot water boiler at 16 Nottingham street, caused by shutting off water.

Rebecca Gilman, for compensation for injuries caused by an alleged defect at 1068 Blue Hill avenue.

John and Mary Haberin, for compensation for loss of garage rent at 218 Lexington street during construction of Lexington street.

James Hennessey, for compensation for injuries caused by city truck.

Mary Joyce, for compensation for baby carriage taken by ashmen from 197 Blue Hill avenue.

Betty Kaplan, for compensation for injuries caused by an alleged defect at Chambers and Spring street.

Joseph D. Keating, for compensation for loss of money taken from locker at Municipal Building, at Columbia road.

Josephine Keliher, for compensation for injuries caused by an alleged defect at 614 Atlantic avenue.

John J. Kelleber, for compensation for damage to property at 33 Arklow street, caused by water flowing into cellar.



Dorothy Kinsella, for compensation for injuries at Bandstand, City Point.

David Kozodoy, for compensation for damage to property at 1699 Washington street, caused by cellar flooded.

LaFrance Textile Industries, for compensation for damage to property at 28 and 30 Canal Street, caused by defective sewerage system.

Isaac N. Learned, for compensation for money expended in opening sewer in Union Park street.

Sarah Leavitt, for compensation for injuries caused by an alleged defect at 24 Ashton street.

Lillian Lyons, for compensation for injuries caused by an alleged defect at 59 Telegraph street.

Archie MacKerron, for compensation for damage to hot-water boiler at 42 Dana road, caused by high water pressure.

Grace E. Markell, for compensation for injuries caused by an alleged defect in Boylston street Bridge.

James R. McDermott, for compensation for damage to property at 140 D street, caused by backing up of sewage.

Antoinetta V. Minichello, for compensation for damage to property at 106 Paris street, caused by defective sewer.

Thomas Mulkern, for compensation for damage to property at 112 D street, caused by backing up of sewage.

Margaret T. Mullen, for compensation for damage to property at 122 B street, caused by backing up of sewage.

Patrick Norton, for compensation for damage to property at 86 Eighth street, caused by backing up of sewage.

John L. O'Leary, for compensation for damage to clothing caused by painted post at corner of Avon and Chauncy streets.

Nunzio Palladino, for compensation for damage to property at 46 Commercial street, caused by backing up of sewage.

Pompei Perullo, for compensation for damage to property at 114 D street, caused by backing up of sewage.

William F. Regan, for compensation for damage to automobile by ash truck.

Sarah E. Rehill, for compensation for damage to property at 151 D street, caused by backing up of sewage.

Dora Resh, for compensation for damage to clothing caused by fire apparatus.

Julia Rosenberg, for compensation for injuries caused by an alleged defect at 51 North Margin street.

Frances A. Saunders, for compensation for injuries caused by an alleged defect at Summer street and Atlantic avenue.

David Silver, for compensation for damage to automobile by fire apparatus.

Edna A. Slack, for compensation for injuries caused by an alleged defect at 5 Farnham street.

Max Smith, for compensation for injuries caused by defect in planing machine, while prisoner at Deer Island.

Sobel Shoe Company, Inc., for compensation for damage to property at 11 and 13 Albany street, caused by backing up of sewage.

Mary Sullivan, for compensation for injuries by city car.

Samuel Thomas and Charles Montgomery, for compensation for damage to property at 876 Harrison avenue, caused by sewer being stopped up.

Peter Tierney, for compensation for damage to property at 142 D street, caused by backing up of sewage.

United States Gypsum Company, for compensation for damage to automobile by city car.

John H. Van Baars, for compensation for damage to property at 193 Sycamore street, caused by backing up of sewage.

Giuseppe Vclardi, for compensation for damage to property at 15 Murray court, caused by defective sewer.

#### Executive.

Anna D. Fry, for children to appear at Symphony Hall on November 5, 1927.

#### APPROVAL OF SINKING FUNDS COMMISSIONERS.

Certificates of approval by the Commissioners of Civil Service of the appointments by the Mayor of

George H. Lyman and Ralph Hornblower, to be Sinking Funds Commissioners, were received and placed on file.

#### AMENDMENT OF STREET TRAFFIC REGULATIONS.

The following vote, passed by the Board of Street Commissioners, October 18, 1927, was transmitted to the City Council:

Voted, That section 1 of Article 7 of the Street Traffic Regulations be and the same hereby is amended so as to add to said section the following highways as one-way streets to vehicular traffic:

Moore street, East Boston district, northerly from Saratoga street to Chaucer street.

Chaucer street, East Boston district, westerly from Moore street to Curtis street.

Curtis street, East Boston district, southerly from Chaucer street to Saratoga street.

West Cedar street, northerly from Revere street to Cambridge street.

Placed on file.

#### STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of the Board of Street Commissioners of hearings on petitions for storage and sale of gasolene, to be held as follows:

On November 7, 1927, Agnes E. Kelly, 58 Wexford street, Ward 22, 1,000 gallons.

Max Burkhardt, 292 Heath street, Ward 10, 1,500 gallons.

Wiggin Terminal, Inc., 385 Medford street, Ward 2, 1,000 gallons.

Hans M. Johnson, 571-583 East Third street, Ward 6, 7,000 gallons.

On Monday, November 14, 1927, Michael H. Loonie, 82 and 84 Parkman street, Ward 16, 1,000 gallons.

Morris H. Bloomfield, 141 North Beacon street, Ward 22, 2,000 gallons.

Brotherhood Coal Company, 1022 Massachusetts avenue, Ward 8, 10,000 gallons.

Standard Oil Company, New York, 468-600 Chelsea street, Ward 1, 6,000 gallons.

Referred to the Executive Committee.

#### APPOINTMENT OF RAILROAD POLICE.

Notice was received of the appointment under date of August 18, 1927, in accordance with chapter 108, section 14, of the Revised Laws of the Commonwealth, of certain persons as railroad police officers of and for the Boston & Maine Railroad.

Placed on file.

#### PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Suffolk County Registry of Deeds from September 19 to October 22, inclusive (piecework and A-2), and from October 16 to October 31, inclusive, regular employees, amounting to \$9,543.51, was received and approved.

#### MINORS' LICENSES.

Chairman DOWLING submitted the applications of thirty-four newsboys and seven vendors for minor's licenses, and asked the approval of the Council.

The applications were approved and the licenses granted.

#### WARDROOM IN BULFINCH STREET ARMORY.

Coun. FITZGERALD offered the following: Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to set aside for ward-room purposes for Ward 3 the hall in the building situated on Bulfinch street owned by the City of Boston, and now used as an armory.

Passed under suspension of the rule.

## A QUESTION OF PRIVILEGE.

Coun. RUBY—Mr. President, I rise to a question of personal privilege.

Chairman DOWLING—The gentleman will state his question of personal privilege.

Coun. RUBY—Mr. President and members of the Council, about a year and ten months ago we were elected members of the Boston City Council to serve our city and our respective districts. I think, when I say that I have no apologies to make for the service I have rendered, not only to my city and my district but to my colleagues, I am voicing the same sentiment that I would if I were asked to express my views as to each and every man with whom I have come in contact here during my term of office as a city councilor. When I was elected from my district I had clearly in mind the purpose of serving my city and of interesting myself in my district. As a result of my desire to serve my district, as well as my city, I have had presented to me, as it has been presented to my fellow members, for two years, the annual budget as submitted through his Honor the Mayor by the heads of our city departments, and I, sitting here as one of the twenty-two members of the City Council, was compelled, as a part of the duties of this body, to help in fixing the amount of expenditures that might be made by his Honor the Mayor through the heads of the city departments annually. Forgetting for the moment the budget of 1926, which did not cause, in my opinion, any particular furore or dissatisfaction, we come to the budget of 1927, which was admirably handled and considered by the Appropriations Committee, of which our good colleague Henry Parkman is the chairman. For a number of weeks he and his committee sat in this very chamber with the representatives of the Finance Commission, consulting the heads of the different departments, with the suggestions of the Finance Commission, in order to be able to make for the committee a fair, honest and reasonable report. Although I was not a member of the Committee on Appropriations, Mr. Parkman will bear me out when I say that I was as diligent in attending the meetings of the committee during its sessions as was any member of the Boston City Council, and I tried to familiarize myself with the matters that came up so that when I was obliged to vote on the budget I could do so with the proper amount of intelligence. When the budget was first submitted by his Honor the Mayor over two and one half million dollars of the sum originally under consideration was cut by the Mayor from the department head estimates. When the tax limit was fixed at the State House, because of the 50-cent reduction, 50-cent reduction there from the amount advocated by his Honor the Mayor, the Mayor was compelled to reduce his estimate by \$685,000. In spite of those reductions from the original estimate of over \$3,000,000, the Finance Commission spent hundreds of dollars in elaborating upon the situation from their point of view, in a book of probably one hundred fifty to two hundred pages, in which they advocated a further reduction of several million dollars. The Appropriations Committee sat and did not accept—with very little exception—a single item of the cuts advocated by the Finance Commission of Boston; and after our Appropriations Committee sat they brought in a report suggesting a further cut of \$232,000 in a budget estimate of \$44,000,000. That would have meant, if the entire amount of \$232,000 was saved, a saving to the taxpayers of Boston of 13 cents on a thousand dollars, and might have necessitated the bringing back later of that \$232,000 in the form of a supplementary budget or loan order to take care of some of the amounts advised to be cut. The proposed cuts ran from five dollars to several hundred dollars, and there was an amount of \$5,000, if I remember correctly, in the Health Department, although Doctor Mahoney, the Health Commissioner, for whom I have the highest respect and regard, said, "Gentlemen, if you take this \$5,000 now, you will have to give it back to me in November in the form of a supplementary budget, because we will need it." Then, there was \$5,000 cut from emergency snow removal, the committee imagining that we could anticipate in March the fact that there would not be a snowfall in the following December. That was the kind of cut that was asked to be made. I made a speech at that time, which I am not going to stop to read here, but which

can be found in the Council records of May 16, 1927, on page 195, in which I called attention to the fact that the budget, as sent to us by his Honor the Mayor, was planned with a view to giving the city departments a proper amount of money to expend for the carrying out of their work. Therefore, I voted for that budget as submitted, and I here and now make no apology to anybody, be it the Good Government Association, the Finance Commission or any organization in Boston, for my vote on the budget of 1927. But, behold, some of us, seeking a reelection to this Council because of our desire to serve our district again, are summoned to appear before the Good Government Association of Boston, at 44 School street. I appeared at the office of that association and was met at the door by a man who introduced himself to me as a Mr. Oliver, coming from parts unknown into the City of Boston to study the capabilities and qualifications of candidates for office in Boston, he not even being a resident. Still, he passes holy, saintly judgment on the question of who is best qualified to sit in the City Council of Boston. I was asked to present my case to him. Then I was called in before a committee of nine, I think, who sat around in that sanctum sanctorum, a gentleman whom I did not know acting as chairman, and I was asked why I voted against the budget as reported by the committee, and not against the budget as submitted by the Mayor. I told them that I voted for the budget as submitted by the Mayor because I had given the matter as much attention as any man in Boston and because I felt that the budget was a just one. Then the question was asked of me by one of the lady members of that body, "Why did you vote in favor of the \$750,000 central fire station in Bowdoin square?" I smiled and said, "Who gave you the information that I did so?" The reply was, "One of your opponents was just here and said he could prove that you voted for the \$750,000 for a central fire station." That was the man whom they now indorse, because they told me that he preceded me. Then I said to Mr. Oliver, the secretary of the Good Government Association, "If you will refer to the records of the Boston City Council you will find that I voted not only against that measure, but I spoke against it, saying that I would never vote for it until the owners of the property accepted \$100,000 less." Then everybody got busy and brought out the records. I simply bring that up to show the caliber of the men there and the methods that are used today in indorsements of candidates. Simply because someone was fortunate enough there to get ahead of the next fellow, he could fill them up with all kinds of falsehoods and they would fall for it. Those are the people who are going through the districts of Boston today and trying to tell intelligent constituencies who should and who should not represent them in the City Council. I am now going to read, with your permission, Mr. President, an article in the *Boston Review* of Saturday, October 15, 1927. This is the article that appears:

"I am told that at least one of the candidates for the City Council in Dorchester is a violent Red and that, if elected, he will take measures to do something for the cause he represents. I don't know what he will do, but it may be that he knows. Sometimes the Reds are not quite certain what they want, but they are certain that they want something different from what other people want and are satisfied with. So far as I can recall it, there has never been an Anarchist in the City Council, and perhaps the election of one might furnish an interesting object lesson. Now and then a City Hall reporter has used an expression like this:

"Councilman Blank threw a bombshell into the session by offering an order that hereafter all heads of departments walk or run to and from their places of employment."

"With an Anarchist in the membership, the word 'bomb' would not be lightly used. Throwing a bomb would mean something more than offering a joke order. However, they tell me that the voters in the ward where this Anarchist lives are not at all inclined to anarchy. It happens that they own their own homes to a large extent, and as soon as a man begins to own real estate he ceases to preach fire and brimstone as a remedy for political wrong."

That is a paper that was sent to me in October. The editor of the *Boston Review* may be able to



throw some light, for the benefit of the Good Government Association, on the question of who was the author of that article. I do not know. After I had appeared before the Good Government Association I was told informally later that I had made a favorable impression in the matter of my position on the budget; and I now want to read to you, with your permission, Mr. President, what the Good Government Association says today in regard to the man it has indorsed in Ward 14:

"In our opinion he stands out among the candidates in this ward for force"—I agree with them in that—"independence and ability. We believe he would be a valuable member of the Council."

I have been told, Mr. President, that they were sitting in conference behind closed doors deciding whether to indorse one of two men, so that there might be some force in this Council. They were thinking of another gentleman in another ward in Boston, and they were deciding whether to indorse one or the other, and they picked the man from Ward 14. I want to say that the Good Government Association might now be called "Government Gone Anarchistic," because they had the opportunity to investigate my record in this body and failed to do so. Because I had the courage to vote for the budget is the excuse that is given why Ruby has not been a fit councilor, has not represented his district properly, has not done what they would like to have had him do. I might say that I could have had the Good Government indorsement if I wanted to make certain promises that went against my grain, but I had the courage of my convictions and felt that I was chosen by the people of my district to represent them here, and not by a private group of interested people. And I now, Mr. President, ask Abigail Homans, I ask Eliot N. Jones, I ask William Minot, I ask Charles J. Nichols, I ask George R. Nutter, I ask Abraham E. Pinanski, I ask Hilda H. Quirk, I ask Robert B. Stone, the members of the Executive Committee of the Good Government Association, and I ask little insignificant Peter Oliver, the man from parts unknown, to whom I had to show certain pages in the *City Record* because he could not find them, what relationship, what acquaintanceship or what personal affection there is between them and Mrs. Glendower Evans? And let them dare answer that question as openly as they have given to the press of Boston these so-called indorsements, in this case indorsing a man because of his "force." I wonder what kind of force they mean! Do they mean the true American democratic force, or do they mean the force that this country for hundreds of years has tried to forestall and throw down? Do they mean the kind of force that is anarchistic and communistic in its character, or the force that will best serve the citizenry of Boston? I ask them through the press to answer that question. While I feel that I have already taken more of your time than I should, there are some things that I want to get off my chest, and I am going to quote the statement which is being given out to the press by his Honor Mayor Nichols of Boston:

"While the Sacco-Vanzetti case was before his Excellency the Governor, only a few weeks ago, Communists flocked to Boston from every Red corner in the world. They came with thoughts of force and violence in their hearts to defeat the orderly process of Massachusetts laws. Their impudence landed them in the police court, where their champion appeared." And this champion is the man who has been indorsed as the best man to serve the citizens of Ward 14 in the Boston City Council. "His devotion to his Red clients is promptly followed by a coveted recognition given at the first opportunity presented through the favor of the Good Government Association, which recommends that he now represent the people of Boston in their City Council. In the Red press he is hailed as a comrade. His election would delight every hater of American institutions. In the name of Good Government, what is it that Boston voters are being asked to do?"

That will appear, if I am correctly informed, in every newspaper in Boston. It comes from his Honor the Mayor, in a statement he has given out. If they had accused Ruby of graft, if they had accused me of being a misrepresentative of my district in the City Council, and stopped there, they would have stepped on no one's toes; but they say distinctly that they indorse my opponent because I voted against the budget, and they say nothing else against me. For that reason, Mr. President, I feel that a statement should be made. I make

no apologies for what I have done for my district. I believe my district has received in the last two years its proportionate share of improvement. Prior to my election here I made certain statements as to plans I hoped to carry out. Every promise I made to the people of my district has been carried out, and I feel that next Tuesday they will indorse what I have done, in spite of the Good Government Association's indorsement of the other man, because undue attention is not paid by the people of my district to indorsements of candidates by organizations who know nothing of Dorchester men or of Dorchester conditions. In conclusion, I want to apologize for having taken all this time but I extend an invitation to that Mr. Oliver from parts unknown to visit Ward 14, and if he does not know where it is my car is at his disposal and I will take him through the ward and show him the improvements that have been received there. (Applause.)

Coun. DONOVAN—Mr. President, I ask unanimous consent to make a statement.

Chairman DOWLING—If there is no objection, the councilor will proceed.

Coun. DONOVAN—I want to thank the Good Government Association for not indorsing me, and thereby securing my election. (Laughter.) During my six years of public life I have never visited the Good Government Association for anything, and I am surprised that my colleague from Dorchester ever honored that organization by calling upon them. The seven men who are attempting to arouse this defunct organization, under the guise of good government, are interested in every land graft, rent gouging and street widening scheme in the City of Boston. What their opinion is is not important to the voters of this city. I say this—and it is not an idle boast, and I say it to the Good Government Association, and without any egotism—that I have procured more for my district than has been procured by any other member of the Council. And yet, they do not indorse me. I don't want their indorsement, I do not seek it, because in the last fifty years in East Boston, ever since the inception of the Good Government Association, its opinions have never had any material effect on the voters of my district. It has been a known fact for years that that association does not indorse you on account of your accomplishments, but rather on account of your supposedly social standing. And so I say to my colleague from Dorchester that he should allay his fears because of what they may think of him. Their idea of him has no bearing whatever on the opinion of the voters of the district.

#### ELECTRIC ARC LAMP, NORFOLK STREET.

Coun. WARD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an electric arc lamp on the left-hand side of Norfolk street, Ward 9, opposite numbers 47-51.

Passed under suspension of the rule.

#### "WHITE WAY" LIGHTING, TREMONT STREET.

Coun. WARD offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to include in the budget appropriation for this year a sum sufficient to install a "white way" lighting system on Tremont street, both sides, in Ward 9.

Passed under suspension of the rule.

#### SIDEWALK ON FLORENCE STREET.

Coun. GUILD offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Florence street, from Ashland street to Mt. Hope Bridge, both sides, Ward 19, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.



[In support of the above order Coun. GUILD submitted a petition of fifty-odd people in his district.]

Order passed under suspension of the rule.

#### REPAVING ON FLORENCE STREET.

Coun. GUILD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave Florence street, between Ashland street and Mt. Hope Bridge, Ward 19, with smooth paving.

Passed under suspension of the rule.

#### SIDEWALK ON CHADWICK STREET.

Coun. DOWD offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Chadwick street, west side, from Yeoman street to Ambrose street, Ward 8, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### PROPOSED INCREASE FOR FIRE DEPARTMENT.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to provide in the budget for 1928 an increase in salary for the members of the Fire Department of the City of Boston.

Referred to the Executive Committee.

#### PROPOSED INCREASE FOR LABORERS.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to provide in the budget for 1928 an increase in salary for all laborers in the employ of the City of Boston.

Referred to the Executive Committee.

#### PROPOSED INCREASE FOR POLICEMEN.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to provide in the budget for 1928 an increase in the salaries of police officers in the City of Boston.

Referred to the Executive Committee.

#### ADDITIONAL SOLDIERS' RELIEF.

Coun. ENGLERT offered the following:

Ordered, That there be allowed and paid to the Soldiers' Relief Commissioner, and charged to the appropriation for Soldiers' Relief Department, the sum of five hundred dollars, said sum to be expended subject to the approval of the Committee on Soldiers' Relief by said commissioner in affording immediate relief to persons entitled to aid under chapter 115 of the General Laws, and acts in amendment thereof and addition thereto.

Passed under suspension of the rule.

#### SIDEWALK ON ST. JOSEPH STREET.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along St. Joseph street, north side, from Woodman street to South street, Ward 11, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones; under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### ELECTRIC ARC LAMPS ON FOURTH STREET.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install three electric arc lamps on Fourth street, between P street and Farragut road, Ward 6.

Passed under suspension of the rule.

#### LAYING OUT HUNTINGTON AVENUE, WARD 18.

Coun. WRAGG offered the following:

Ordered, That the Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Huntington avenue, from 85 Canterbury street, Ward 18, as a public highway.

Passed under suspension of the rule.

#### LAYING OUT RICHARDS AVENUE.

Coun. WRAGG offered the following:

Ordered, That the Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Richards avenue, from Hyde Park avenue to Newburn street, Ward 18, as a public highway.

Passed under suspension of the rule.

#### SIDEWALK ON QUINCY STREET.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Quincy street, north side, from 127 feet west of Barry street to opposite Barry street, Ward 15, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones; under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rules.

#### SIDEWALK ON FREEPORT STREET.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Freeport street, southwesterly side, from Derechester avenue to Old Colony Parkway (artificial stone sidewalk only), Freeport street, both sides, from 191 feet north of Mill street to Old Colony Parkway (edgestone only), Wards 15 and 16, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### LOAN FOR MUNICIPAL STADIUM.

Coun. GREEN, for the Committee on Finance, submitted the following:

Report on order (submitted by the Mayor and referred October 17— that the sum of \$250,000 be appropriated, to be expended under the direction of Park Commission for the erection of a municipal stadium,—that the same ought to pass.

Coun. GUILD—Mr. President, on the last occasion when an order was presented for the erection of a stadium I opposed it, and I believe the same reasons that underlie the present order actuated the order which was presented at that time. Although the order in terms does not specifically so provide, it seems upon investigation that the idea behind it is to have a place for spectacles, schoolboy contests. No one understands better than I do the place that athletics have in the curricula of the schools of this country. They are justified by reason of the mental and moral training that they give to the participants in athletics, over and above the physical benefits. That is what justifies athletics

in the schools and colleges. It seems to me that if they are justified in that way, the cost of maintaining athletics in the schools of this city should be met in the same way that the cost of any other part of the school curricula is met. It is suggested that the fees charged for admission to a schoolboy stadium would not only pay for the stadium but would pay for the maintenance of athletics in the schools. In my opinion that is wrong. Athletics in the schools are justified and thoroughly so, and being justified and thoroughly so the expense should be met in the same way that the expense of teaching French, geography, arithmetic or any other branch of study taught in the schools is met, out of the public tax levy. There is no justification whatever in the public schools of the city for putting it on the basis of a Shubert enterprise, in competition with other professional amusements, the American or National Leagues, Tex Rickard's activities, or those of "Cold Cash Pyle," in competition with public sports of that nature, to enjoy which the public expects to pay and must pay. That is not a function of the schools. The function of the schools is to educate, and if athletics play a proper part in that education, as I am convinced they do, I believe they should be a part of the curricula, and paid for out of the tax levy as such. But entertainment and excitement of a large body of spectators, sitting in the stands, people who have paid an admission fee for the purpose of being entertained and excited, is to my mind no proper part of a school system. And so an order of this sort, it seems to me, should originate with those who control the policies of the public schools, with the School Committee, instead of with the Mayor and City Council. Since the order has been presented to this body, however, I feel constrained to express my opinion upon the subject, and my opinion, in brief and boiled right down to lowest terms, is this: that it is the height of folly in the schools to depend upon admission fees for maintaining a branch of the educational system which ought to be maintained, like any other branch, out of the tax levy. It will be said in reply to me, I have no doubt, that the order does not specify in terms that the purpose of the municipal stadium is altogether to provide a place for schoolboy athletic sports. That is quite true, but if the order is analyzed carefully and the source from which it has come scrutinized, it will be seen quite clearly that that is what underlies it. If it be suggested that this is to afford a place for congregating people together for other purposes, it would be a much better proposition, it seems to me, to congregate them under a roof in a large auditorium, where they can hear what is being said by speakers and have shelter from the elements, than to expect them to congregate for any such purpose in a stadium. A close scrutiny of the order reveals clearly what underlies the proposition, and my own attitude is that it is folly for the City of Boston to go into a thing of this sort, because it leaves out of sight entirely the one reason that justifies athletic sports in the schools. I am a graduate of Harvard College, and I have not the least hesitation in saying to you, Mr. President and members of the body, that I consider the Harvard Stadium a piece of folly. That was the start of the over-emphasis of athletics, with its business side, that we see in the colleges today. If there were a charge of 25 cents for admission to a football game, how many people would go out there of a Saturday afternoon to see a 25-cent game? And yet the only thing that justifies Harvard College in athletics is the effect that they have on the students. Ostensibly Harvard College is not catering to a vast public which wishes to be entertained and excited. Presumably it is educating the youth of the land, and the only educational value which athletics afford to the youth of the land is to those who participate in them. They are utterly without value to those who go and look on, from the standpoint of the real purpose of the college. No provision whatever should be made by educational institutions for spectators. If they desire to go and look on, as they would go to an astronomical observatory for purposes of observation, well and good. But athletics in the colleges should be maintained in the same way that an astronomical observatory is maintained. Out of the same moneys should come the cost of each. If one is defrayed through tuition fees, let the other be so defrayed; if one is defrayed from the tax levy, let the other be so defrayed. Athletics in the Boston schools should not be dependent upon the admission fees that are charged at the gate, and Boston should

not cater to entertaining and exciting vast multitudes of people in any such way.

Coun. McMAHON—Mr. President, I move you, sir, that this order be referred to the Executive Committee.

The order was referred to the Executive Committee.

#### RECESS.

On motion of Coun. BUSH, the Council took a recess subject to the call of the Chair at 3.18 p. m. The members reassembled in the Council Chamber and were called to order by Chairman DOWLING at 4.12 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following:

(1) Report on the petition of Anna D. Fry (referred today) for children to appear at Symphony Hall on November 5, 1927, that leave be granted under the usual conditions.

Report accepted, leave granted on the usual conditions.

(2) Report on order (submitted by the Mayor and referred today) for a transfer of \$900 from appropriation for Health Department, to Hospital Department, Sanatorium Division, \$900—that the same ought to pass.

Also report on orders (submitted by the Mayor and referred today) for sundry departmental transfers in Public Works Department, Fire Department, Library Department and Law Department—that said orders ought to pass.

Reports accepted, said orders passed, yeas 15, nays 0.

(3) Report on order (submitted by the Mayor and referred today) that \$4,000 be appropriated from the income of the Parkman Fund, to be expended under the direction of the Park Commission, for Riverway Improvement—that said order ought to pass.

Report accepted, said order passed, yeas 16, nays 0.

(4) Report on order (submitted by the Mayor and referred October 17) authorizing the Municipal Employment Bureau to expend under the direction of the Mayor in the prosecution of its duties a sum not in excess of \$8,500, to be charged to the Reserve Fund—that the same ought to pass.

Report accepted, said order passed, yeas 15, nays, Coun. Dowling, Parkman—2.

#### REPAVING PROVIDENCE STREET.

Coun. ARNOLD offered the following:

Ordered, That the Commissioner of Public Works through his Honor the Mayor, be requested to repave Providence street, between Berkeley and Clarendon streets, Ward 4, with smooth paving.

Passed under suspension of the rule.

#### SIDEWALKS, WARD 22.

Chairman DOWLING offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 358 and 360 Washington street, Ward 22, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Ordered, That the Commissioner of Public Works make a sidewalk along 2 and 4 Chestnut Hill avenue, Ward 22, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Orders passed under suspension of the rule.

## RECEIVING ELECTION RETURNS.

Chairman DOWLING offered the following:

Ordered, That the City Messenger be directed to make arrangements for receiving election returns on the evening of the coming city election, and that Room 49, City Hall, be opened on the evening of said day for the announcement of returns, the expense attending the same to be charged to the appropriation for City Council, Incidental Expenses, G-3

Passed under suspension of the rule.

## THE NEXT MEETING.

It was voted, on motion of Coun. KEENE, that when the Council adjourns it be to meet on Monday, November 14, at 2 p. m.

## GENERAL RECONSIDERATION REFUSED.

On motion of Coun. FREELEY, a general reconsideration of all action taken today was lost.

Adjourned at 4.19 p. m., on motion of Coun. PARKMAN, to meet on Monday, November 14, at 2 p. m.





## CITY OF BOSTON.

## Proceedings of City Council.

Monday, November 14, 1927.

Regular meeting of the City Council, in the Council Chamber, City Hall, at 2 p. m., Coun. DOWLING, senior member, presiding. Absent, Coun. Arnold, Dowd and Ward.

## APPOINTMENT OF CONSTABLE.

The following was received:

City of Boston,  
Office of the Mayor, November 14, 1927.  
To the City Council.  
Gentlemen,—Subject to the confirmation of your honorable body, I herewith appoint Michael Matthew Plepys as a constable for the City of Boston.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.  
Laid over a week under the rule.

## APPOINTMENTS OF WEIGHERS.

The following was received:

City of Boston,  
Office of the Mayor, November 10, 1927.  
To the City Council.  
Gentlemen,—Subject to the approval of your honorable body, I herewith appoint the following weighers:

Of Coal: Rosalyne Silbert with East Boston Coal Company, 480 Orleans street, East Boston; Ethel Piken, with East Boston Coal Company, 480 Orleans street, East Boston; Freda Levine, with East Boston Coal Company, 480 Orleans street, East Boston; Philip DiVanno, 1 Cbesterton street, Roxbury.

Of Goods: John H. Lynch, Commonwealth Warehouse Company, 497 Summer street, Boston; Richard S. McSorley, with the Whittemore Company, Roslindale; Anthony Demaino, with the Beckwith Manufacturing Company, 31 Old Heath street, Roxbury; Charles W. Sargent, with Beckwith Manufacturing Company, 31 Old Heath street, Roxbury.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.  
Laid over a week under the rule.

## ASSEMBLY ROOM IN BOSTON SANATORIUM.

The following was received:

City of Boston,  
Office of the Mayor, November 10, 1927.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the Board of Trustees, Boston City Hospital, in reply to your order of October 17, 1927, relative to the providing of an assembly room in the Boston Sanatorium, and the making of such arrangements as may be necessary to meet the expense by a budget item or otherwise.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.  
Placed on file.

City of Boston,  
Hospital Department, November 8, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor,—At a meeting of the Board of Trustees held on November 4 I presented the order of the City Council "That the Trustees of the Boston City Hospital be requested, through his Honor the Mayor, to provide an assembly room in the Boston Sanatorium and make such arrangements as may be necessary to meet the expense by a budget item or otherwise."

At the present time one of the dining rooms is

used as an assembly room. The trustees realize that this is not a suitable room for such a purpose, but they are preparing a program for the further expansion of the hospital at Mattapan, and have in mind to provide a proper assembly room.

Yours respectfully,  
JOHN J. DOWLING,  
Superintendent.

Placed on file.

## RESCINDING AUTHORIZATION TO BORROW MONEY.

The following was received:

City of Boston,  
Office of the Mayor, November 14, 1927.  
To the City Council.  
Gentlemen,—I transmit herewith six orders providing for the rescinding of authorization to borrow money under four distinct loan items. These items are as follows:  
Fire Station, Shawmut avenue and Tremont street.

Charities Administration Building and Temporary Home, furnishing and Equipping.  
Hospital, Parker Hill, Buildings, etc.  
Maternity Building (City Hospital).

The amounts of money which are to be rescinded under these orders are no longer required for the reasons that either the work contemplated when the original authorization was made has been completed or else owing to contingencies which were not foreseen at the time of the original authorization it has been necessary to abandon the original work contemplated. Since there is no further need for the particular borrowing power now remaining unused in the various items, it is desirable that these accounts be closed on the financial records of the city. The accompanying orders will accomplish this purpose and I respectfully recommend their adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the right to borrow money for Fire Station, Shawmut avenue and Tremont street, under the loan order passed September 9, 1925, and approved by the Mayor September 10, 1925, be limited to \$60,000 and the authorization to borrow in excess of said amount for said purpose be and the same hereby is rescinded.

Ordered, That the right to borrow money for furnishing and equipping Charities Administration Building and Temporary Home, under the loan order passed September 28, 1925, and approved by the Mayor September 29, 1925, be limited to \$15,000 and that the authorization to borrow in excess of said amount for said purpose be and the same hereby is rescinded.

Ordered, That the right to borrow money for Hospital, Parker Hill, Buildings, etc., under the loan order passed June 8, 1925, and approved by the Mayor June 12, 1925, be limited to \$180,000 and that the authorization to borrow in excess of said amount for said purpose be and the same hereby is rescinded.

Ordered, That the right to borrow money for Hospital, Parker Hill, Buildings, etc., under the loan order passed November 30, 1925, and approved by the Mayor December 1, 1925, be limited to \$140,000 and that the authorization to borrow in excess of said amount for said purpose be and the same hereby is rescinded.

Ordered, That the right to borrow money outside the limit of indebtedness for the erection of a Maternity Building, under the loan order passed August 4, 1924, and approved by the Mayor August 5, 1924, be limited to \$390,000 and that the authorization to borrow in excess of said amount for said purpose be and the same hereby is rescinded.

Ordered, That the right to borrow money for the erection of a Maternity Building, under the loan order passed August 4, 1924, and approved by the Mayor August 5, 1924, be limited to \$195,000 and that the authorization to borrow in excess of said amount for said purpose be and the same hereby is rescinded.

Referred to the Committee on Finance.

# TRANSFER — PUBLIC WELFARE DEPARTMENT.

The following was received:

City of Boston,  
Office of the Mayor, November 14, 1927.  
To the City Council.

Gentlemen,—I am advised by the chairman of the Overseers of the Public Welfare that the records of this department at the present moment indicate the possibility of a deficit at the close of the year of over \$200,000, under Item F-9, Care of Dependents. Since it may be possible before the close of the year to reduce this figure, I do not feel it desirable at the present time to provide the full estimate of the department. I accordingly submit herewith two orders providing for the transfer from available sources of \$100,000 to the item in question. This transfer will permit the department to administer this item until some time in December when it will be possible to approximate a good deal closer than it is at the present time the actual deficit which will be present in this item. I respectfully recommend adoption of the accompanying orders by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$50,000, to the appropriation for Public Welfare Department, Central Office, F-9, Care of Dependents, \$50,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for City Debt Requirements, Special Items, F-5, Interest, \$50,000, to the appropriation for Public Welfare Department, Central Office, F-9, Care of Dependents, \$50,000.

City of Boston,  
Overseers of the Public Welfare,  
November 9, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—In accordance with your Circular Letter No. 3, the Board of Overseers of the Public Welfare respectfully submits the following information.

We estimate that we will have a deficit of approximately \$233,759.44 under F-9, Dependent Aid, to December 31, 1927. We will have a balance, however, of approximately \$60,200.82 under F-10, Mothers Aid, to December 31, 1927. We also estimate unexpended balances in other items of our budget amounting to approximately \$10,000, leaving a balance to be provided from other sources of approximately \$163,558.62.

Will you kindly make provision to supply the funds necessary to cover our estimated deficit for this year?

Very truly yours,  
NATHAN A. HELLER, Chairman.  
Referred to the Executive Committee.

## INCREASED FERRY TOLLS.

The following was received:

City of Boston,  
Office of the Mayor, November 12, 1927.  
To the City Council.

Gentlemen,—I submit to you herewith an order for the increase of tolls on the East Boston ferries accompanied by a report from the Commissioner of Public Works relative to ferry service and toll charges.

The total loss on the ferries since the beginning of public operation has now reached a total of about thirteen millions. The annual deficit is increasing and at the present time amounts to about three-quarters of a million dollars a year. This great annual charge upon the public revenues bears upon every home owner in the city and upon every business. It means that all our taxpayers contribute to the support of an undertaking which ought better to sustain itself.

The new schedule of ferry tolls will not extinguish the annual deficit. They will but lift the present revenue of the ferries from \$80,000 a year

to \$240,000 a year upon the basis of present travel. The annual deficit will still be in excess of one-half million dollars a year if the schedule proposed is adopted.

The maintenance of our ferries entails a burden of expense incomparably greater than the expense of maintaining a public highway. The service at present is as good as can be provided, unless a very large sum of money is expended for new equipment. The heaviest traffic is taken care of by the South Ferry, as facilities at the North Ferry are inadequate for the heaviest loads. The fact is that ferry service together with the mainland connections are inadequate for the tremendous transportation that may be expected in time to attend the growth of the city and either a tunnel or a bridge must ultimately be provided.

At the present time rates sufficient to pay for the cost of the ferries could not be charged, because they would prove far in excess of the new schedule herein proposed. While it would be inexpedient to fix a rate high enough to pay cost of upkeep, nevertheless, I am confident that the public will be willing to pay for ferry service something beyond the present charge.

The proposed schedule of tolls is moderate in comparison with toll schedules in other large cities, and it gives recognition to the great changes in traffic that have taken place since the ferry tolls now in existence were established under an order of the City Council in the year 1887.

For the foregoing reasons, I strongly recommend passage of the accompanying order.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the tariff of tolls for passengers and vehicles upon the East Boston ferries be amended and established as follows, to take effect on and after January 1, 1928:

| Passengers.                                           |           |
|-------------------------------------------------------|-----------|
| Foot passenger .....                                  | 1 cent.   |
| Passengers on vehicles, other than driver, each ..... | 1 cent.   |
| Vehicles.                                             |           |
| One or two-horse vehicle with driver...               | 15 cents. |
| Three or four-horse vehicle with driver.              | 25 cents. |
| Passenger automobile with driver.....                 | 20 cents. |
| Motor truck, six tons or less, with driver.....       | 20 cents. |
| Motor truck, over six tons, with driver.....          | 30 cents. |
| Auto bus with driver.....                             | 30 cents. |
| Motor cycle with driver.....                          | 10 cents. |
| Trailer.....                                          | 20 cents. |
| Miscellaneous.                                        |           |
| Hand cart, or wheelbarrow, and man..                  | 10 cents. |
| Horse and rider.....                                  | 10 cents. |
| Horses and cattle, each, with attendant               | 10 cents. |

## Tickets for Vehicles.

Tickets in packages of twenty shall be sold at a reduction of twenty per cent from toll rates.

## Funeral Processions.

Funeral processions shall pass free of tolls.

City of Boston,  
Public Works Department,  
November 14, 1927.

To the Honorable the Mayor.

Complying with your request, I submit a report of the Division Engineer of the Bridge and Ferry Division in the matter of ferry tolls, containing a proposed schedule of tolls to be considered in connection with an adjustment of the present schedule.

Yours very truly,  
J. H. SULLIVAN,  
Commissioner of Public Works.

(Inclosure.)

October 11, 1927.  
To the Commissioner of Public Works.  
I beg leave to submit to you the following statement with regard to the question of increasing tolls for the Ferry Service.  
An increase in tolls is desirable from the standpoint of the Public Works Department, in that the increase would produce a larger revenue, decreasing the deficit to the city and thereby aiding in reducing the general tax.



The total loss on the ferries, according to the annual report of the Public Works Department for 1926, is \$12,678,550.99.

The existing rates have been in force for forty years, having been adopted in 1887. Since that date conditions have materially altered.

First, Foot passenger travel has dropped off very greatly. For example, 9,507,864 foot passengers paid for transportation in 1887; 13,051,318 foot passengers paid for transportation in 1904, and in 1924 only 2,844,317 foot passengers paid for transportation; the decrease since 1924 being due to the opening of the East Boston Tunnel. This decrease in the foot passenger travel has diminished the revenue as compared with 1904 by over \$100,000 per annum.

Second, Although a very substantial part of the revenue of the ferries comes from foot travel, the ferries are now primarily for vehicular traffic, which has increased since 1887 from 755,688 paid vehicles transported to approximately 1,000,000 vehicles being carried per annum at the present time.

Third, The character of the vehicles has changed greatly owing to the introduction of automobiles, both for the carrying of passengers and trucking. At the present time nearly 75 per cent of the vehicles transported are automobiles and of these automobiles about 40 per cent are trucks.

The loads that are being carried average much heavier than the loads that were formerly carried, on account of the advent of the motor truck and as they are much heavier they impose more severe strain on drops and boats, increasing both maintenance and construction charges.

The present schedule is not based on any definite plan, although it is governed more by weight of vehicle than any other condition. It makes no provision for motor vehicles except to rate them in with horse-drawn vehicles.

Under the existing laws tolls must be charged and as the cost of maintenance has arisen owing to the rise in prices of both materials and labor since 1887, it is a subject for consideration as to whether the tolls might not fairly be increased to provide at least for a part of the increased cost of maintenance.

Any system of tolls should be simple of application and it is extremely probable that any system applied would be simpler and more easily checked than the one now in force.

To charge tolls is fair, as transportation by ferry differs from ordinary provisions for traffic such as roads or bridges. On a road or bridge are offered only a means of travel whereas on a ferry the vehicles themselves are transported, saving for the distance of the ferry route, cost in wear and tear, gasoline, etc.

Apparently some of the business interests of East Boston are willing to pay a toll of considerable magnitude in case a bridge is built and it is possible that the feeling of the community has changed somewhat with regard to the increase in the rates of tolls.

I have drawn up a rough schedule of tolls which would produce a revenue of about \$240,000 a year, which is a decided increase over the present system of tolls. It is very much less than the tolls charged in New York and Philadelphia. I submit herewith this schedule. The foot passengers remain at one cent and one cent will be charged for every additional passenger on a vehicle besides the driver instead of such persons being carried free as they are at present. The increase is made wholly on vehicles. There is also no particular reason why free transportation should be given to vehicles on the Fourth of July. I believe that it might be well to allow foot passengers to travel free on that holiday but I see no reason why vehicles should. Even if the suggested increase be adopted there will be a heavy maintenance deficit every year.

Yours very truly,

JOHN E. CARTY,  
Division Engineer.

Referred to the Executive Committee.

#### DEPARTMENTAL TRANSFERS.

The following was received:

City of Boston,  
Office of the Mayor, November 14, 1927.  
To the City Council.  
Gentlemen,—I am in receipt of the attached requests for transfers within departmental appro-

priations and respectfully recommend adoption of the accompanying orders.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Fire Department:

From the appropriation for A-1, Permanent Employees, Engineer and Architect, 1 at \$2,500 per year, \$888.54, to the appropriation for A-1, Permanent Employees, Engineers, High Pressure, 11 at \$2,100 per year, \$78.54; Laborers, 4 (3) at \$5 per day, \$810.

From the appropriation for B-1, Printing and Binding, \$100, to the appropriation for B-37, Photographic and Blueprinting, \$100.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Hospital Department:

From the appropriation for A-1, Permanent Employees, Physicians, 2 at \$4,000 per year \$270; Physicians, 4 at \$3,500 per year, \$300, to the appropriation for F-11, Workingmen's Compensation, \$570.

From the appropriation for A-1, Permanent Employees, Physicians, 3 at \$3,000 per year, \$355, to the appropriation for F-7, Pensions and Annuities, \$355.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Hospital Department, Sanatorium Division:

From the appropriation for A-1, Permanent Employees, Hospital Employees, 117 (104) not exceeding \$1,300 per year, \$7,000, to the appropriation for D-2, Food and Ice, \$7,000.

From the appropriation for B-39, General Plant, \$3,000, to the appropriation for D-2, Food and Ice, \$3,000.

From the appropriation for C-2, Machinery, \$765, to the appropriation for B-8, Light, Heat and Power, \$750; B-14, Motor Vehicle Repairs and Care, \$15.

From the appropriation for C-4, Motor Vehicles, \$350, to the appropriation for D-8, Laundry, Cleaning, Toilet, \$200; E-10, Electrical, \$150.

From the appropriation for C-12, Medical, Surgical, Laboratory, \$1,500, to the appropriation for D-5, Medical, Surgical, Laboratory, \$1,500.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Institutions Department, Central Office.

From the appropriation for C-4, Motor Vehicle, \$100; D-1, Office, \$100, to the appropriation for B-14, Motor Vehicle Repairs and Care, \$200.

From the appropriation for Long Island Hospital, A-1, Permanent Employees, Physician, Assistant, 1 at \$1,200 per year, \$250, to the appropriation for A-3, Unassigned, \$250.

From the appropriation for A-1, Permanent Employees, Nurses, Teacher of, 1 at \$1,300-\$1,400 per year, \$700, to the appropriation for C-12, Medical, Surgical, Laboratory, \$700.

From the appropriation for A-1, Permanent Employees, Nurses, Supervisors of, 5 at \$1,300 per year, \$1,225, to the appropriation for C-16, Wearing Apparel, \$1,000; D-4, Storage and Animal, \$225.

From the appropriation for A-1, Permanent Employees, Institution Employees, 130 at \$500 to \$1,200 per year, \$1,000; Nurses, Head, 27 at \$1,200 per year, \$500, to the appropriation for D-5, Medical, Surgical, Laboratory, \$1,500.

From the appropriation for A-1, Permanent Employees, Nurses, Head, 27 at \$1,200 per year, \$1,000, to the appropriation for D-8, Laundry, Cleaning, Toilet, \$1,000.

From the appropriation for A-1, Permanent Employees, Nurses, Student, 55 at \$600 per year, \$400, to the appropriation for D-13, Chemicals and Disinfectants, \$100; E-10, Electrical, \$100; A-2, Temporary Employees, \$200.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Penal Institutions Department, Office Expenses:

From the appropriation for A-1, Permanent Employees, Chauffeur, 1 at \$1,600 per year, \$206, to the appropriation for A-1, Permanent Employees, Officer and Chauffeur, 1 at \$1,600 per year, \$206.

Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to make the following transfer in the Penal Institutions Department:

From the Appropriation for House of Correction, C-16, Wearing Apparel, \$2,000, to the appropriation for Steamer "Michael J. Perkins," B-39, General Plant, \$2,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Park Department, Cemetery Division.

From the appropriation for B-14, Motor Vehicle Repairs, \$45, to the appropriation for B-8, Light, Heat and Power, \$25; C-6, Stable, \$20.

From the appropriation for B-28, Expert, \$250, to the appropriation for B-3, Advertising and Posting, \$30; B-13, Communication, \$50; C-13, Tools and Instruments, \$50; D-13, Chemicals and Disinfectants, \$30; D-16, General Plant, \$40; E-13, General Plant, \$50.

From the appropriation for D-3, Fuel, \$200, to the appropriation for D-1, Office Supplies, \$50; C-4, Motor Vehicle, \$150.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Park Department:

From the appropriation for Park Department, Cemetery Division, B-39, General Plant, \$2,000, to the appropriation for Park Department, B-6, Teaming, \$1,500; E-12, Parks and Recreational, \$500.

From the appropriation for C-17, General Plant, \$250; D-10, Agricultural, \$750; E-2, Highway, \$2,000; A-1, Permanent Employees, Laborers, etc., 43 at \$5 per day, \$1,050, to the appropriation for E-12, Parks and Recreational, \$4,050.

From the appropriation for A-1, Permanent Employees, Laborers, etc., 43 at \$5 per day, \$2,400; Gardeners, Treemen, Cemetery Keepers, etc., 15 at \$5.50 per day, \$1,300; Matrons, 2 at \$22 per week, \$150; Mechanics, 3 at \$6 per day, \$100, to the appropriation for E-13, General Plant, \$3,950.

Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Park Department:

From the appropriation for B-1, Printing and Binding, \$480, to the appropriation for B-3, Advertising and Posting, \$60; B-5, Cartage and Freight, \$100; B-35, Fees, etc., \$45; C-8, Educational and Recreational, \$200; E-9, Machinery, \$25; E-10, Electrical, \$50.

From the appropriation for B-18, Cleaning, \$100, to the appropriation for E-9, Machinery, \$100.

From the appropriation for B-22, Medical, \$100, to the appropriation for C-17, General Plant, \$100.

From the appropriation for B-37, Photographic and Blueprinting, \$300, to the appropriation for C-17, General Plant, \$200; D-8, Laundry, Cleaning, Toilet, \$100.

From the appropriation for C-7, Furniture and Fittings, \$1,000, to the appropriation for D-8, Laundry, Cleaning, Toilet, \$200; D-10, Agricultural, \$800.

From the appropriation for B-42, Music, Concerts, etc., \$193.60, to the appropriation for D-9, Educational and Recreational, \$193.

From the appropriation for C-14, Livestock, \$1,500, to the appropriation for D-10, Agricultural, \$700; D-16, General Plant, \$200; E-1, Building, \$600.

From the appropriation for C-16, Wearing Apparel, \$1,100, to the appropriation for E-1, Building, \$400; E-12, Parks and Recreational, \$700.

From the appropriation for A-2, Temporary Employees, \$350, to the appropriation for A-3, Unassigned, \$350.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby

is authorized to make the following transfer in the appropriations for Public Works Department, Bridge Service:

From the appropriation for A-2, Temporary Employees, \$1,000, to the appropriation for A-3, Unassigned, \$1,000.

From the appropriation for E-3, Bridges, \$425, to the appropriation for D-8, Laundry, Cleaning, Toilet, \$25; E-10, Electrical, \$400.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Ferry Service:

From the appropriation for A-2, Temporary Employees, \$3,900, to the appropriation for A-3, Unassigned, \$1,400; B-39, General Plant, \$2,500.

From the appropriation for B-6, Hire of Teams and Auto Trucks, \$500, to the appropriation for B-39, General Plant, \$500.

From the appropriation for C-11, Marine, \$780, to the appropriation for B-4, Transportation of Persons, \$30; E-4, Ferries, \$750.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Water Service:

From the appropriation for B-6, Hire of Teams and Auto Trucks, \$25, to the appropriation for B-3, Advertising and Posting, \$25.

From the appropriation for B-39, General Plant, \$4,000, to the appropriation for B-14, Motor Vehicle Repairs and Care, \$1,000; C-4, Motor Vehicles, \$3,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Street Laying-Out Department:

From the appropriation for A-1, Permanent Employees: Engineers, Junior, 7 at \$2,100-\$2,300 per year, \$59.08, to the appropriation for A-1, Permanent Employees: Engineer, Chief, 1 at \$3,500-\$3,800 per year, \$0.74; Draughtsman, 1 at \$2,300-\$2,400 per year, \$58.34.

From the appropriation for A-1, Permanent Employees: Conveyancer, 1 at \$1,600-\$1,800 per year, \$300, to the appropriation for A-1, Permanent Employees: Conveyancer, 1 at \$2,100-\$2,200 per year, \$300.

From the appropriation for A-1, Permanent Employees: Engineers, Senior, 11 at \$2,400-\$2,600 per year, \$1,590, to the appropriation for B-1, Printing and Binding, \$225; B-4, Transportation of Persons, \$750; B-39, General Plant, \$300; C-13, Tools and Instruments, \$100; D-1, Office, \$200; E-13, General Plant, \$15.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Registry of Deeds:

From the appropriation for A-1, Permanent Employees: Clerks, 10 at \$1,600 per year, \$800; Clerks, 17 at \$1,500 per year, \$400; Clerk, 1 at \$1,200 per year, \$500, to the appropriation for A-2, Temporary Employees, \$1,700.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for East Boston District Court:

From the appropriation for A-2, Temporary Employees, \$175, to the appropriation for D-1, Office, \$175.

From the appropriation for B-15, Motorless Vehicles, \$70, to the appropriation for B-13, Communication, \$25; G-1, Probation Officers Expenses, \$45.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Medical Examiner Service, Southern Division:

From the appropriation for B-5, Cartage and Freight, \$76, to the appropriation for C-4, Motor Vehicles, \$16.45; C-12, Medical, Surgical, Laboratory, \$35; B-39, General Plant, \$25.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is



authorized to make the following transfer in the appropriations for Public Works Department, Sanitary Service:

From the appropriation for A-1, Permanent Employees, Laborers, Feeders, Mechanics, Assistants, etc., 949 (900) at \$5 per day, \$20,000, to the appropriation for A-1, Permanent Employees, Chauffeurs, Teamsters, Laborers, \$5 (90) at \$30 to \$33 per week, \$16,000; A-3, Unassigned, \$4,000.

From the appropriation for B-16, Care of Animals, \$2,000; B-20, Disposal of Ashes, Dirt and Garbage, \$3,000, to the appropriation for B-13, General Plant, \$5,000.

From the appropriation for B-35, Fees, Service of Venires, etc., \$190, to the appropriation for B-10, Rent, Taxes and Water, \$190.

From the appropriation for C-5, Motorless Vehicles, \$1,000; C-6, Stable, \$1,000; D-2, Food and Ice, \$550; D-3, Fuel, \$1,200; C-16, General Plant, \$400; E-1, Building, \$800, to the appropriation for C-13 Tools and Instruments, \$2,000; B-6, Hire of Teams and Auto Trucks, \$4,450; D-11, Motor Vehicle, \$800.

From the appropriation for D-4, Forage and Animal, \$4,000; to the appropriation for A-3, Unassigned, \$4,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Paying Service:

From the appropriation for A-1, Permanent Employees, Inspectors, 38 at \$1,600 to \$1,900 per year, \$7,300, to the appropriation for A-2, Temporary Employees, \$3,000; A-3, Unassigned, \$3,000; A-1, Permanent Employees, Rodmen, 2 at \$1,400-\$1,500 per year, \$300; B-14, Motor Vehicle Repairs and Care, \$1,000.

From the appropriation for A-1, Permanent Employees, Laborers, Feeders, Mechanics, Assistants, etc., 444 at \$5 per day, \$15,500, to the appropriation for B-14, Motor Vehicle Repairs and Care \$2,000; B-42, Repairing streets, etc., \$1,500; B-2, Highway, \$10,000; Reconstructing and Repairing Streets by Contract, \$2,000.

From the appropriation for A-1, Permanent Employees, Mechanics, 127 at \$5 to \$6 per day, \$6,000, to the appropriation for Reconstructing and Repairing Streets by Contract, \$6,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Sewer Service:

From the appropriation for E-13, General Plant, \$30, to the appropriation for B-20, Disposal of Ashes, Dirt and Garbage, \$30.

From the appropriation for E-13, General Plant, \$255; A-1, Permanent Employees, Chauffeurs, 9 at \$5-\$5.50 per day, \$1,222; Clerk, 1 at \$12 per week, \$40; Clerk, 1 at \$15 per week, \$782.50; Inspectors and Subforemen, 2 at \$1,900-\$2,000 per year, \$283; Firemen, Oilers and Gatemen, 34 at \$6-\$6.50 per day, \$3,216.50, to the appropriation for B-39, General Plant, \$6,000.

From the appropriation for A-1, Permanent Employees, Inspectors and Subforemen, 2 at \$1,900-\$2,000 per year, \$1,930, to the appropriation for B-42, Repairing Streets, \$472; C-13, Tools and Instruments, \$512; C-16, Wearing Apparel, \$261; D-3, Fuel, \$685.

From the appropriation for A-2, Temporary Employees, \$2,500, to the appropriation for A-3, Unassigned, \$2,500.

From the appropriation for C-4, Motor Vehicles, \$2,185; D-2, Food and Ice, \$200; D-16, General Plant, \$1,565, E-5, Sewer, \$2,878; E-13, General Plant, \$191, to the appropriation for B-8, Light, Heat and Power, \$7,019.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Institutions Department, Child Welfare Division:

From the appropriation for C-16, Wearing Apparel, \$575, to the appropriation for A-2, Temporary, \$150; B-4, Transportation of Persons, \$200; D-1, Office, \$150; D-8, Laundry, Cleaning and Toilet, \$25; D-16, General Plant, \$50.

Referred to the Executive Committee.

# PETITIONS REFERRED.

The following petitions were received and referred to the committees named:

## Claims.

Dorothea D. Allen, for compensation for injuries caused by an alleged defect in Boston Common.

Sam Appel, for compensation for injuries caused by an alleged defect at 330 Harrison avenue.

Bereh & Cadigan, for refund on building permit. Sadie Bornstein, for expenses incurred by leak in water pipe at 4 Howland street, Roxbury.

John M. Buckley, for compensation for injuries caused by an alleged defect at Stuart and Tremont streets.

Frieda Burstyn, for compensation for damage to property at 52 and 54 Stanwood street, Roxbury, caused by break in water main.

Dionisio A. Cappucci, for compensation for injuries caused by an alleged defect at Tremont and West Brookline streets.

Mrs. M. Carney, for compensation for damage to clothing on ferryboat.

Fannie Charter, for compensation for injuries caused by an alleged defect at 1 Irma street, Dorchester.

Paul Civita, for compensation for damage to property at corner of Massachusetts and Harrison avenues, caused by city truck.

John Collins, for compensation for damage to automobile caused by an alleged defect at Boylston and Carver streets.

Luigi DeSisto, for refund on license for storage and sale of merchandise.

Coleman Donahue, for compensation for damage to property at 67 West Seventh street, caused by backing up of sewage.

James L. Draper, for compensation for damage to automobile caused by an alleged defect at Centre and Wells streets.

Israel L. Fine, for compensation for damage to automobile caused by an alleged defect in Alford street.

George Fingold, for compensation for injuries caused by an alleged defect at Massachusetts avenue and St. Stephen street.

Signe A. M. Flodstrom, for compensation for injuries caused by an alleged defect at 609 Commonwealth avenue.

Edward A. Foster, for compensation for injuries caused by city truck.

Joe Freedman, for compensation for injuries caused by an alleged defect in Faneuil Hall.

O. J. Gagne, for compensation for loss of business caused by obstructions in front of property at 82 A street, South Boston.

Anna T. Goldman, for compensation for damage to hot water boiler 32 Hartwell street, Roxbury, caused by bursting of water main.

George Goldman, for compensation for damage to property at 81 Devon street, caused by break in water pipe.

Clara Goldwarg, for compensation for injuries caused by being struck by city car.

Harry Goldwarg, for compensation for injuries and damage to automobile caused by city car.

Mary E. A. Grier, for compensation for damage to property at 117-123 West Seventh street, caused by backing up of sewage.

Anna Hoberman, for compensation for injuries caused by an alleged defect at Wales street and Browning avenue.

Mary E. A. Hurley, for compensation for injuries caused by an alleged defect in Dover street.

Joseph Kebartis, for compensation for damage to property at 87 West Seventh street, caused by backing up of sewage.

Louis Komarin, for compensation for damage to clothing by paint on fire hydrant.

Adeline J. Lonergan, for compensation for injuries caused by an alleged defect at West and Tremont streets.

J. Joseph Lotto, for compensation for damage to automobile by city truck.

John J. Maginnis, for compensation for damage to automobile by police wagon.

Mary G. Mahoney, for compensation for injuries caused by an alleged defect at 79 and 81 Clifton street.

Abbie McDonough, for compensation for damage to property at 107 Seventh street, caused by backing up of sewage.

Catherine J. McLaughlin, for compensation for damage to property at 406 Codman street, caused by backing up of sewage.



Angelo Mistretta, for compensation for damage to property at 29 Henley street and 33 Park street, caused by broken water main.

Charles P. Morgan, for compensation for damage to automobile caused by stones thrown from schoolyard of George F. Angell School.

Thomas Moynihan, for compensation for damage to property at 131 and 133 West Fifth street, caused by backing up of sewage.

Margaret A. Mullins, for compensation for injuries caused by an alleged defect at 616 Atlantic avenue.

Daniel J. O'Connell, for compensation for damage to property at 17 Dillon street, caused by police officers.

Rose Peluso, for compensation for injuries caused by an alleged defect at Summer street and E street.

Lucille E. Repko, for compensation for injuries caused by an alleged defect at Centre and Wells streets.

Andrew S. Robb, for compensation for damage to property at 30 Playstead road, caused by backing up of sewage.

Fred E. Russell, for compensation for damage to automobile caused by fire in Mattapan square.

Delia A. Shallow, for compensation for damage to property at 109 West Seventh street, caused by backing up of sewage.

Thomas F. Sheehan, for compensation for loss of coat at City Hospital.

Mrs. B. Sheinkoph, for compensation for damage to property at 87 Devon street, caused by bursting of water main.

Ethel L. Sidosky, for compensation for injuries caused by an alleged defect in State street.

Harry Silverman, for compensation for damage to clothing caused by paint on post at corner of Savoy street and Harrison avenue.

Anthony Simisceh, for compensation for damage to automobile caused by an alleged defect at Summer and E streets.

Max Sonis, for compensation for damage to property at 88 Blackstone street, caused by flooding of cellar.

Joseph Storti, for refund on sidewalk license.

S. Talanian, for compensation for damage to property at Dorchester avenue and Richmond street, caused by falling tree.

Sheridan F. Ticknor, for compensation for damage to property at 1036 River street, Hyde Park, caused while removing trees.

Charles Tomelli, for compensation for sidewalk license unused.

Frank and Angelino Urbano, for compensation for damage to property at 141 D street, caused by backing up of sewage.

Katy Vangilder, for refund on victualler's license.

Humbert Vara, for compensation for damage to car by city truck.

Worthy Lunch Company, Inc., for compensation for damage to property at 1785 Washington street, caused by defective sewer pipe.

Mrs. D. L. Wyllie, for compensation for damage to property at 58 Leonard street, caused by city cart.

John F. Young, for expenses incurred in excavating at 129 West Broadway.

Sarah Zisman, for compensation for damage to property at 83 Devon street, caused by break in water main.

Mary E. Winslow, for compensation for damage to automobile caused by an alleged defect at corner of Dorchester avenue and Codman street.

#### Executive.

A. H. Handley, for children to appear at Symphony Hall on December 4, 1927.

#### Special Committee on Jitney Licenses.

Massachusetts Coach Company, for leave to run buses over Granite avenue, Adams street, Gibson street, Dorchester avenue to the Fields Corner Station of the Boston Elevated road, thence through Geneva avenue, Park street to Dorchester avenue and return.

#### PRE-HOLIDAY PAY-ROLL.

Coun. McMAHON offered the following:

Ordered, That the City Auditor be hereby authorized to allow for payment and the City Treasurer to pay the monthly pay rolls of employees

on or before November 23, 1927, and December 23, 1927, in anticipation of Thanksgiving and Christmas.

Passed under suspension of the rule.

#### SIDEWALK ON QUINCY STREET.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Quincy street at No. 435, Ward 15, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### LAYING OUT HEATHCOTE STREET, WARD 19.

Coun. GUILD offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Heathcote street, Ward 19, as a public highway.

Passed under suspension of the rule.

#### STORAGE AND SALE OF GASOLINE.

Notices were received from the Street Laying-Out Department of the Board of Street Commissioners of hearings before said Board on petitions for storage and sale of gasoline, as follows:

November 1, 1927.

P. J. Wojcek, 849 River street, Ward 18, 1,500 gallons.

November 28, 1927.

Adeline A. Bianco, 1081 Bennington street, Ward 1, 1,000 gallons; Stanley Bhinstub, 500 and 502 Western avenue, Ward 22, 1,000 gallons; David Feldman, 1321 Blue Hill avenue, Ward 14, 1,000 gallons; Patrick B. Mutrie, 85 East Cottage street, Ward 7, 1,000 gallons; John A. Whittemore's Sons, 37 Burnett street, Ward 11, 20,000 gallons.

Referred to the Executive Committee.

#### APPLICATION OF TRANSIENT VENDOR.

Application was received from Cecil Gordon for a license as a transient vendor for the purpose of exhibiting and selling old English silver, Sheffield plate and jewelry at the Hotel Vendome, the application being accompanied by a bond.

Placed on file.

#### APPROVAL OF ALBERT J. CARPENTER AS EXAMINER.

Notice was received of the approval by the Commissioners of Civil Service of the appointment by the Mayor of Albert J. Carpenter, 1 Moss Hill road, Jamaica Plain, to be a member of the Board of Examiners.

Placed on file.

#### GAS MAIN LOCATIONS IN WEST ROXBURY.

Copies were received from the Metropolitan District Commission of orders passed by that commission on October 27, 1927, granting to the Boston Consolidated Gas Company locations for gas mains in West Roxbury Parkway, near —

(1) Pelton street, substantially as petitioned for by said company on September 29, 1927; and

(2) in West Roxbury Parkway, near Clement avenue, substantially as petitioned for by said company on September 29, 1927.

Placed on file.

#### PROPOSED HEALTH UNIT IN ROXBURY.

A copy of the following vote of November 10 was received from the trustees of the George Robert White Fund:

Voted, That the communication from the Boston City Council, dated August 22, 1927, requesting a survey and study of the property owned by the Salvation Army on Vernon street, Roxbury, with a view to its acquisition by the city as a site for a health unit in Roxbury he filed and that the manager be instructed to notify the Council that the same will be given the consideration of the trustees in due course.

Placed on file.

#### CONSTABLE'S BOND APPROVED.

The constable's bond of Joseph S. Halbert, having been duly approved by the City Treasurer, was received and approved.

#### PAY ROLL, REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds from November 1, 1927, to November 15, 1927, both inclusive, amounting to \$4,241.49, was received and approved.

#### LAYING OUT WESTBOURNE TERRACE AND ROAD.

Coun. GUILD offered the following:

Ordered, That the Board of Street Commissioners through his honor the Mayor be requested to lay out and accept as public highways, Westbourne terrace, between Bourne street and Westbourne road and Westbourne road, between Northbourne road and Southbourne road in Ward 19.

Passed under suspension of the rule.

#### RECESS.

On motion of Coun. FREELEY the Council voted at 2.21 p. m. to take a recess subject to the call of the Chair.

The members reassembled in the Council Chamber and were called to order by Chairman DOWLING at 3.03 p. m.

#### CONFIRMATION OF APPOINTMENT.

Chairman DOWLING called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor October 31, 1927, of James T. Lyons, to be a Weigher of Coal; and Christopher B. Kennedy, Ernest I. Ford, Richard J. Ryan, Richard W. Melville and Francis L. Owens, to be Weighers of Goods.

The question came on confirmation. Committee, Coun. Green, Guild; the whole number of ballots, 11, yeas 11, and the appointments were confirmed.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following:

(1) Report on the petition of A. H. Handley (referred today) for children to appear at Symphony Hall on December 4, 1927,—that leave be granted.

Report accepted, leave granted on the usual conditions.

(2) Report on orders (submitted by the Mayor today and accompanying requests for transfers within departmental appropriations)—that said orders ought to pass.

Report accepted, said orders passed, yeas 15, nays 0.

(3) Report on orders (submitted by the Mayor and referred today) to transfer \$50,000 from the Reserve Fund and \$50,000 from City Debt Requirement, or \$100,000 in all, to Public Welfare Department, Central Office, Care of Dependents,—that the same ought to pass.

Report accepted, said orders passed, yeas 15, nays 0.

#### CENTRAL LIBRARY FIREPROOFING, ETC.

Coun. GREEN, for the Committee on Finance, submitted the following:

Report on order (referred August 22, 1927) for a loan of \$250,000 to be expended by the trustees of the Public Library for the central library building, fireproofing, improvements, etc.,—that the same ought to pass.

The report was accepted, and the question came on the passage of the order:

Chairman DOWLING—The Clerk will call the roll.

Coun. KEENE—Mr. President, just prior to calling of the roll I would like to add to the report of the committee the fact that Father Connolly and Mr. Kirstein, members of the Board of Trustees, were in attendance today at the meeting of the committee and laid great stress on existing conditions at the library. They stated that the last inventory of the central library showed approximately \$16,000,000 of property, some of it extremely valuable, that could never be replaced, and cited the fact that there are in the library original editions of Shakespeare, of Milton, and other works of great value, that could not possibly be replaced. At the present time these books are kept upon shelves in ordinary rooms, and not very long ago one of Commissioner Hultman's experts made a report to the effect that the library is a fire hazard. Members of the trustees who were present stated that they felt very keenly the conditions that exist and that they did not dare to assume the responsibility longer without calling forth the attention of this Council, setting forth the urgent need of fireproofing. Proper fireproofing demands some structural changes. We have estimates of the engineers calling for an expenditure of approximately \$250,000. It would seem that this is an urgent need and that the city should take some action to protect the property there. I understand that our library ranks third in the libraries of this country. I sincerely trust that the Council will take prompt action in the matter.

Coun. PARKMAN—Mr. President, I intend to vote for the order, but I do so wholly unimpressed by the argument of urgency. The urgency now argued apparently has existed for some time, for a number of years, and the facts have been known, but it has not been pressed. I do not find from the correspondence or data, in connection with this matter that the Mayor's office has been up to the present time impressed by the urgency argument, because the correspondence shows that the request was made of the Mayor November 27, 1926, and it did not reach the Council until July 25, 1927, representing a delay of eight months. I see no reason why the amount represented in the order should not have been split and the burden spread over a number of years. It seems to me it would have answered the purpose as well to have a part of the money expended in 1926, a part in 1927, and so on, instead of having the order for the whole amount come in at this time.

The Clerk called the roll on the passage of the order, with the following result:

Yeas—Coun. Bush, Donovan, Dowling, Englert, Fitzgerald, Green, Guild, Keene, Lynch, Mahoney, Parkman, Ruby, Wilson—13.

Nays—0.

[Chairman DOWLING, before announcing the vote, waited a short time to see whether members were present in the anteroom.]

Coun. PARKMAN—Mr. President, if in order I move that the result of the vote be announced and that we proceed with the business of the meeting. Then, if a sufficient number of votes show up later, we can have reconsideration.

Chairman DOWLING—There being but thirteen votes in the affirmative, and fifteen being required for the passage of the order, the order is rejected.

On motion of Coun. GUILD it was voted that the action on the order be reconsidered and that the order be assigned to the next meeting.

Coun. KEENE in the chair.

#### SOLDIERS' RELIEF.

Coun. ENGLERT, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for payment of aid to soldiers and sailors and their families in the City



of Boston for the month of November, 1927, under the provisions of chapter 115 of the General Laws and Acts and Amendments thereof or in addition thereto.

Report accepted, said order passed.

#### APPROVAL OF ROXBURY PROBATION OFFICERS' SALARIES.

Coun. FITZGERALD, for the Committee on County Accounts, submitted a report on the communication from the justice of the Municipal Court of Roxbury District of the City of Boston (referred October 17, 1927)—recommending the passage of the accompanying order:

Ordered, That the salaries of the probation officers of the Municipal Court, Roxbury District, as determined by the justice of said court, to date from January 1, 1928, be and the same hereby are approved, viz.:

Chief probation officer, \$3,500; first assistant probation officer, \$3,000; four male probation officers, \$2,800 each; one woman probation officer, \$2,500.

Coun. BUSH—Mr. President, I simply rise for information. Is that an increase in the salaries of the probation officers, or is it merely to take care of the salaries to date?

Coun. FITZGERALD—Mr. President, that takes care of the increases already provided for. The Legislature passed an act authorizing certain increases.

The report was accepted and the order declared passed.

Coun. BUSH doubted the vote and asked for a rising vote. The Council stood divided, and the order was passed, 10 to 1.

#### BETTER LIGHTING ON COMMONWEALTH AVENUE, BRIGHTON.

Coun. DOWLING offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide boulevard lamps or other high candle-powered lights on Commonwealth avenue, between Brighton avenue and the Newton line in sufficient numbers to properly light said avenue and afford reasonable protection to pedestrians and motorists, and that he further requested to report to the City Council what action he proposes to take in this matter and at what time.

Coun. DOWLING—Mr. President, I have offered that order as the only way that seems open to me to get adequate lighting facilities for one of the most important thoroughfares in the city. Commonwealth avenue is the main artery which connects the city proper with the western suburbs and the large western cities. I inquired from the Mayor's Traffic Survey Board this afternoon, and my own opinion was confirmed by their statement that 14,000 automobiles pass through that avenue between eight o'clock in the morning and six o'clock in the evening. There have been in the past five months, according to the records of the Police Department, Brighton Division, three fatal accidents and twenty-two accidents in which serious personal injuries were incurred. The danger there is not due to unnecessary speed, because that avenue is fairly, and even more than fairly, well patrolled. Captain Anderson has three or four motorcycle officers on the avenue all the time, and the movement of traffic does not violate the law, and does not, because of undue speed, cause these accidents. I will send to the clerk at this time and ask him to read a clipping from the *Herald* one day this week, setting forth the comments made by Judge Connelly on the situation there, and after the clerk finishes I will resume.

The clipping was read by the clerk, as follows:

"Judge Holmes had lights for accident. Calls Commonwealth avenue opposite Capitol Theater dangerous. Judge Thomas H. Connelly of the Brighton District Court yesterday censured the lighting on Commonwealth avenue, opposite the Capitol Theater, where two women have been killed and several persons have been injured during the past two months. Judge Connelly said that he was satisfied that the accident was caused by poor lighting on Commonwealth avenue, near the

Capitol Theater, and that it had been his experience that numerous accidents had been caused there by lack of proper lighting. He said that he had observed the light at that point, and thought it insufficient for motorists, although there has been no attempt to remedy the matter."

I have not offered this order, Mr. President, for the purpose of personal glorification. I don't want any white way system there, attributed to my efforts, but I do want some measure of protection for the people. As I have said, there are more than 14,000 autos that pass through the district there during the day, and I know from my daily and nightly experience that it is impossible to drive a car along Commonwealth avenue with any degree of safety to the pedestrian or driver under present conditions. It is a three-harreled road, with a main central route on which traffic moves in opposite directions, and two side drives, so called. I offer these remarks in connection with the order merely in the hope that they will attract the attention of the Commissioner of Public Works and his Honor the Mayor. I move a suspension of the rule and the passage of the order.

The order was passed under suspension of the rule.

#### BURIAL SPACE FOR SPANISH WAR VETERANS.

Coun. DOWLING offered the following:

Ordered, That the Park Commission, through his Honor the Mayor, be requested to take such steps as may be necessary to increase the area of the lot in Mt. Hope Cemetery now especially assigned to deceased veterans of the Spanish American War.

The rule was suspended and the order passed.

#### COMPLETION OF BRIGHTON COURTHOUSE.

Coun. DOWLING offered the following:

Ordered, That the sum of \$200,000 be appropriated, to be expended by the Superintendent of Public Buildings, in completing the building of the Brighton Courthouse, and that to meet the said appropriation the City Treasurer be authorized to issue, from time to time, bonds or certificates of indebtedness to said amount.

Referred to the Committee on Finance.

#### REPAIRING SOMERSET SCHOOL.

Coun. FITZGERALD offered the following:

Ordered, That the Schoolhouse Commission be requested, through his Honor the Mayor, to confer with the members of the School Committee, for the purpose of arriving at a satisfactory agreement relative to the repair of the Somerset School, which was damaged by fire on Saturday, October 29, this school being then occupied by special classes.

Passed under suspension of the rule.

#### EXTENSION OF ELVEN ROAD.

Coun. GUILD offered the following:

Ordered, That the Commissioner of Public Works through his Honor the Mayor be requested to estimate the cost of extending Elven road to Hyde Park avenue with underpass under the line of the New York, New Haven and Hartford Railroad and to report the same to the Boston City Council.

Passed under suspension of the rule.

#### SIDEWALK ALONG PILGRIM ROAD.

Coun. PARKMAN, for Coun. Arnold, offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Pilgrim road, Brookline avenue to Short street (edgestone only), Ward 4, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width,



and to be built of crushed stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### CONFIRMATION OF APPOINTMENTS.

Coun. DONOVAN—Mr. President, if in order at this time I move that we take up the name of John H. Brady, as it appears in No. 2 on the calendar under unfinished business, and act upon it at this time.

The Council voted to take up the question of appointment of John H. Brady as constable, submitted by the Mayor October 31, 1927, and act upon it at this time.

The question came on confirmation.

Coun. RUBY—Mr. President, if in order at this time I would ask also that the name of Joseph Weiner, appointed constable by the Mayor on the same date, be taken up, under No. 2 on the calendar.

Chairman KEENE—The question first comes on the confirmation of the appointment of John H. Brady.

Coun. GUILD—Mr. President, I rise to a question of information. Has the Special Committee on Constables made any report at all on these two names?

Coun. WILSON—Mr. President, in response to that inquiry I would state that the Special Committee on Constables went over the whole list of constables, when we had them before us, but I understand that, these men having been turned down, now come before us in a new form, and that, according to the Law Department, the Committee has no jurisdiction in the matter. We had the list and acted upon all the names in one way or the other, but this comes in the same as a new petition, as I understand it, and therefore did not come before our committee.

The question came on confirmation of the appointment of John H. Brady as constable. Com-

mittee, Coun. Donovan and McMahon. Whole number of ballots, 13; yeas 12, nays 1, and the appointment was confirmed.

The constable's bond of John H. Brady, having come down approved by the City Treasurer, was approved by the Council.

Coun. RUBY—Mr. President, I now move that we take up the name of Joseph Weiner, appointed as constable, as set forth in No. 2 on the calendar at this time.

The Council voted to take up the question of confirmation of appointment of Joseph Weiner as constable, the appointment being one of several submitted by the Mayor on October 31, 1927.

The question came on confirmation. Committee Coun. Bush and Englert. Whole number of ballots, 12; yeas 12, and the appointment was confirmed.

Coun. BUSH—Mr. President, may I call up under No. 3, unfinished business, on the calendar, the appointment by the Mayor on September 26 of Edward Oher to be a constable?

The Council voted to take up the question of appointment of Edward Oher as constable, under date of September 26, 1927. Committee, Coun. Fitzgerald and Donovan. Whole number of ballots, 12; yeas 12, and the appointment was confirmed.

#### THE NEXT MEETING.

On motion of Coun. DOWLING, it was voted that when the Council adjourn it be to meet on Monday, November 28, at 2 p. m.

#### GENERAL RECONSIDERATION REFUSED.

On motion of Coun. RUBY, the Council refused consideration of all action taken today.

Adjourned, on motion of Coun. LYNCH, at 3.31 p. m., to meet on Monday, November 28, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, November 28, 1927.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., Senior Member Coun. DOWLING presiding, and all the members present.

## APPOINTMENTS BY THE MAYOR.

Subject to approval by the Council, the Mayor submitted appointments as follows:

Weighers of Coal: Daniel Tempesta, 33 Von Hillern street, Dorchester; Arthur Williamson, with Stetson Coal Company at 496 First street, South Boston.

Weigher of Goods: Charles O'Neil, Boston Fish Market Corporation, Fish Pier, South Boston.

Measurer of Bark and Wood: Arthur Williamson, with Stetson Coal Company, 496 First street, South Boston.

Constables: Joseph Morelli, 174 Salem street, Boston; Thomas F. Long, Jr., 13 Hall street, Jamaica Plain; Hyman Rossman, 101 Waumbeck street, Roxbury.

Severally laid over a week under the law.

## TREMONT STREET IMPROVEMENT.

The following was received:

City of Boston,

Office of the Mayor, November 28, 1927.

To the City Council.

Gentlemen,—I am in receipt of the attached communication from the City Auditor relative to an additional appropriation for the Tremont Street Improvement, the purpose of the appropriation being to permit the city to properly close this account for the year. In accordance with the request of the auditor, I submit herewith a loan order providing for the appropriation of \$180,000 inside the debt limit of the city and respectfully recommend passage of the order by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Auditing Department.  
November 28, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—You are respectfully notified that there is a cash deficit of \$142,911.05 on account of the appropriation for Tremont Street Improvement. This is due to the payment of executions of court, in accordance with chapter 36, section 2 of the Revised Ordinances of 1925, which provides that the city treasurer "shall on presentation pay every execution against the city, when duly certified as correct by the law department, even if the appropriation to which the execution is chargeable is not sufficient to meet it."

It is difficult to estimate the total amount that will be required to pay claims now outstanding and suits pending in court as well as charges for expert service in connection therewith.

In order to close the accounts for the financial year and to provide for the deficit already existing, you are respectfully requested to submit a loan order to the City Council for \$180,000, inside of the debt limit, with a recommendation for its early adoption.

Respectfully yours,  
RUPERT S. CARVEN, City Auditor.

Ordered, That the sum of \$180,000 be and the same hereby is appropriated to be expended by the Board of Street Commissioners for the laying out, widening and construction of Tremont street, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Executive Committee.

## WARDROOM, WARD 3.

The following was received:

City of Boston,

Office of the Mayor, November 17, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Superintendent of Public Buildings, in answer to your order of October 31, 1927, requesting the setting aside for wardroom purposes for Ward 3, the hall in the building situated on Bulfinch street, owned by the City of Boston, and now used as an armory.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Buildings Department,  
November 11, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—Replying to the inclosed order of the City Council that the Superintendent of Public Buildings be requested, through his Honor the Mayor, to set aside for wardroom purposes for Ward 3, the hall in the building situated on Bulfinch street, owned by the City of Boston and now used as an armory, I wish to say that the room referred to is now occupied by the Third Battalion, Three Hundred Seventy-Second Infantry, M. N. G. Section 39 of the Militia Laws, State of Massachusetts, states that cities and towns must provide a suitable hall for drill purposes for the various units located therein, provided there is not a first-class armory located in said town. The fact is that there are at least two first-class armories located in Boston and it seems to me that the City of Boston should not be obliged to furnish this armory for the use of any military company, in keeping with the phraseology of the law.

Personally, I am in hearty accord with the order passed by the City Council and feel that some arrangements should be made whereby the state would be obliged to provide other quarters for these organizations.

There is another feature in connection therewith, namely, that the City of Boston is also obliged to provide wardrooms for public meetings and the ordinance so states, that if such wardrooms are not provided, if five legal voters of any ward will make application for the use of a hall in their district, the City of Boston would be obliged to hire a place for their meeting, regardless of all other conditions.

In consideration of the foregoing, I would suggest that the Law Department, City of Boston, be consulted as to its rights in the premises.

Respectfully yours,  
JOHN P. ENGLERT,  
Superintendent of Public Buildings.

Placed on file.

## ELVEN ROAD.

The following was received:

City of Boston,

Office of the Mayor, November 22, 1927.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in answer to your order of November 14, 1927, relative to an estimate of the cost of extending Elven road to Hyde Park avenue with underpass under the line of the New York, New Haven & Hartford Railroad.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
November 21, 1927.

To the Honorable the Mayor.

I return order of the City Council, requesting an estimate of the cost of extending Elven road to Hyde Park avenue with underpass under the line of the New York, New Haven & Hartford Railroad, and report that the estimated cost is \$130,000.

The extension does not appear practical. The head room under the railroad is limited, due to the topography of the surrounding area. The food line of Stony brook governs the surface drainage to the extent that the underpass would be limited to pedestrians. An underpass for pedestrians would require about nine feet of head room, while one for vehicles and pedestrians would require at



least twelve feet,—three feet lower. At the lower grade there would be three feet of water during flood times or excessive rainstorms.

Yours very truly,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### SALE OF LAND, MANNING STREET.

The following was received:

City of Boston,  
Office of the Mayor, November 26, 1927.  
To the Honorable the City Council.  
Gentlemen,—Inclosed find an order authorizing his Honor the Mayor, in the name and behalf of the city, to sell at public auction at an upset price of five hundred dollars (\$500) all of the right, title and interest the city has in and to a parcel of land situate in the northerly side of Manning street, at the corner of Berry street, in West Roxbury, containing 7,150 square feet of land, more or less, and to execute a deed of the same to the purchaser in form satisfactory to the Law Department.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Law Department, November 26, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Inclosed find message and order to the City Council authorizing his Honor the Mayor to sell at public auction, at an upset price of five hundred dollars, all of the right, title and interest which the city has in and to the parcel of land situate on the northerly side of Manning street, at the corner of Berry street, West Roxbury, containing 7,150 square feet of land, more or less, and to execute a deed of the same to the purchaser in form satisfactory to the Law Department.

The Park Department of the City of Boston in a letter to you dated October 21, 1927, stated that the parcel of land herein referred to is no longer needed for public purposes.

Mr. Edward T. Kelly, chairman of the Board of Assessors of the City of Boston, in a letter to you dated September 29, 1927, has stated that in his opinion \$500 is a fair upset price to fix for the land.

Yours very truly,  
FRANK S. DELAND,  
Corporation Counsel.

Ordered, That his Honor the Mayor be and he hereby is authorized, in the name and behalf of the city, to sell at public auction at an upset price of five hundred dollars (\$500) all the right, title and interest the city has in and to a parcel of land situated on the northerly side of Manning street, at the corner of Berry street, in West Roxbury, containing seven thousand one hundred and fifty (7,150) square feet of land, more or less, and to execute a deed of the same to the purchaser in form satisfactory to the Law Department.

Referred to the Committee on Public Lands.

#### CHANGES AT 33 BEACON STREET.

The following was received:

City of Boston,  
Office of the Mayor, November 28, 1927.  
To the Honorable the City Council.  
Gentlemen,—The executive and administrative offices of the Board of Park Commissioners of the City of Boston are and have been for a long period of time located within the building numbered 33 Beacon street, which building was a part of the residue of the George F. Parkman estate, which was devised to the City of Boston, and therefore a part of the George F. Parkman Fund.

The city is now paying, and has paid for a long time, the sum of \$2,500 annually as rental of this building, which rental has been treated as a part of the income of the George F. Parkman Fund. This building is in such condition that it is seriously in need of substantial repair in certain parts, and certain portions should be reconstructed so as to have the whole building suitable for occupancy by the Board of Park Commissioners.

This building is a part of the George F. Parkman Fund. I am advised by the Law Department that the expenses of repair and reconstruction and

changes that are necessary to be made should be from an appropriation from the George F. Parkman Fund, and when the proposed repairs, reconstruction and changes are made the annual rental will be increased by the sum of \$3,500, making the annual rent \$6,000, which increased rental will be dealt with as income from the George F. Parkman Fund, and expended in accordance with the terms of the George F. Parkman will.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Whereas, The rear portion of the building numbered 33 Beacon street, which building was a part of the residue of the George F. Parkman estate and therefore a portion of the George F. Parkman Fund, is in such a dilapidated condition that it is now a fire menace and should be razed and a new construction be made in place of that portion of the building razed; and

Whereas, The razing of the rear portion of the building will necessitate certain alterations and changes in the main portion of the building; and

Whereas, It is necessary to raze the rear portion of said building and make alterations and changes in the main portion of the building to make the building tenable;

Ordered, That the sum of fifty thousand dollars be and the same is hereby appropriated from the George F. Parkman Fund, and that such said sum or so much thereof as may be deemed necessary by the Board of Park Commissioners, with the approval of his Honor the Mayor, be expended under the direction of the Park Department for the purpose of building and constructing a new portion of said building in place thereof, and changes in the main portion of the building as may be deemed necessary by the Board of Park Commissioners, with the approval of his Honor the Mayor.

Referred to the Committee on Parkman Fund.

#### LOAN FOR CHARLES STREET JAIL.

The following was received:

City of Boston,  
Office of the Mayor, November 28, 1927.  
To the City Council.

Gentlemen,—In connection with the preparation of the budget for 1928, there has been brought to my attention a condition at the Charles Street Jail, with reference to the power plant in that institution, which, in my opinion, should be remedied by the issuance of a loan rather than by making available an appropriation within the budget. I submit herewith a report from the Superintendent of Public Buildings who, acting under my instructions, has made a survey and investigation of the matter. This report is self-explanatory and, in accordance with the recommendation contained therein, I submit herewith a loan appropriation providing for the sum of \$100,000 to be spent on certain specified improvements within the jail walls. In view of the short period of time which now remains before the close of the year I respectfully recommend immediate consideration by your honorable body of this loan order.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Buildings Department,  
November 28, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—In accordance with instructions contained in your communication of November 18, and having reference to certain essential improvements to be made in the Suffolk County Jail, I respectfully report that, in company with Commissioner of Public Works James H. Sullivan and Building Commissioner Louis K. Rourke, I visited Sheriff Keliher at the jail. The sheriff outlined his ideas regarding his desires and they were practically the same as enumerated in his communication to you under date of November 17, namely, to raze the present wooden workshop, erect a new fireproof boilerhouse in its stead, excavate trenches to provide for the transmission of heat to the main building and to remove part of the existing wall around the jail for an exit to

North Grove street instead of the present exit to Charles street in order to avoid the congestion on Charles street.

This work will cost approximately \$100,000 and the urgent need for same was concurred in by all present, particularly because the boilers have been condemned by the state authorities as being in a dangerous condition and in their present location in the main building they are a positive menace to the institution.

You will observe that in the original request of the sheriff he called for an appropriation of \$200,000 which would provide on a very comprehensive scale for his wants, but he informed me that with an immediate appropriation of \$100,000 the boiler situation would be relieved and that possibly in the near future another appropriation could be made to carry out his original scheme by an addition to the new boiler house which would provide for a garage, repair shop, storeroom, offices and chambers.

Respectfully yours,  
JOHN P. ENGLERT,  
Superintendent of Public Buildings.

Ordered, That the sum of \$100,000 be and the same hereby is appropriated for County of Suffolk, Jail Improvements, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

#### PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

##### Claims.

Esther Blatzman, for compensation for injuries caused by an alleged defect at 409 Harrison avenue.

Abraham Berk, for compensation for damage to property at 249A Harvard street, caused by overflow of sewage.

Madam Burdam, for compensation for injuries caused by defect in street.

Michael Cavanaugh, for compensation for damage to automobile caused by an alleged defect in Beech street, Roslindale.

Mrs. Glenna E. Chase, for compensation for injuries caused by an alleged defect at 52 Newton street.

I. Cooper, for compensation for damage to automobile by city cart.

Harry Davis and J. C. Rodenhiser, for compensation for damage to property at 253 Harvard street, caused by overflow of sewage.

John V. Doucette, for compensation for loss of clothing at City Hospital.

A. F. Elwell, for compensation for damage to automobile caused by an alleged defect in Dover Street Bridge.

Timothy J. Flaherty, for compensation for damage to automobile by city truck.

Max Gladstone, for compensation for damage to property at 249-253 Harvard street, caused by overflow of sewage.

Edward A. Gorman, for compensation for injuries caused by an alleged defect at 34 Rogers street.

Goudey Gum Company, for refund on unused refuse tickets.

Mary E. Green, for compensation for injuries caused by fall in City Hall Annex.

Mrs. M. Harvey, for compensation for damage to property at 1 Everett avenue, caused by defective sewer.

Margaret Healy, for compensation for collapse of boiler at 77 Mt. Ida road, caused by shutting off water.

George F. Hooper, for compensation for damage to automobile by city truck.

Julia Irwin, for compensation for injuries caused by an alleged defect at Orleans and Gove streets.

Mary A. Keating, for compensation for injuries caused by an alleged defect in Kneeland street.

A. E. Kopp, for compensation for injuries caused by defect in street.

Walter Krueger, for compensation for injuries caused by an alleged defect in Washington street.

Zigmont Lazinkas, for compensation for damage to property at 4069 Washington street, Roslindale, caused by automobile.

William H. Lewis, for compensation for damage to automobile caused by door of traffic officer's box at junction of Beacon and Charles streets.

Daniel Marr & Son Company, for compensation for damage to property at 384 Dorchester avenue, caused by defective sewer.

Mary A. Mason, for compensation for injuries caused by an alleged defect at Tremont and Bromfield streets.

Mrs. Louise Miesusset, for compensation for loss of umbrella at City Hospital.

Francis J. Nally, for compensation for loss of clothing at City Hospital.

Alva A. Newhall, for refund on refuse tickets.

Harry M. Porter, for compensation for damage to automobile by cart of Sanitary Service.

Annie J. Regan, for compensation for injuries caused by fire apparatus.

Barnard B. Rosenberg, for compensation for damage to property at 251 Harvard street, caused by overflow of sewage.

Louise St. Denis, for refund on refuse tickets.

Herbert Saunders, for compensation for injuries caused by an alleged defect at 388 Tremont street.

Ellen C. Sullivan, for compensation for damage to property at 238 East Ninth street, caused by city truck.

Angelo Traniello, for compensation for damage to property at 1408 and 1410 Columbus avenue, caused by leak in water main.

Generoso Visconti, for compensation for damage to sidewalk by city truck.

George V. Wattendorf, for refund on garage license.

Susan A. Wentworth, for compensation for damage to property at 268 West Newton street, caused by bursting of water hydrant.

William J. Jacobs, for compensation for wages due as street clerk in Assessing Department.

#### PETITION FROM HOUSECLEANERS OF BOSTON CITY HOSPITAL.

A petition was received, signed by Frank McNally and nineteen others, housecleaners of Boston City Hospital, asking for increase in wages. Placed on file.

#### ADDITIONAL ALLOWANCE, MUNICIPAL CIVIL COURT.

A communication from Chief Justice Wilfred Bolster was received stating that additional appropriation of \$3,900 was necessary for expenditure by clerk of Municipal Civil Court for clerical assistance.

Referred to the Committee on County Accounts.

#### APPOINTMENT TO BOARD OF OVERSEERS OF PUBLIC WELFARE.

The appointment by the Mayor of Tilton S. Bell, 31 Gleason street, Dorchester, to be an Overseer of the Public Welfare, was received and placed on file.

#### PERSONS ELECTED AT CITY ELECTION.

The following was received:

City of Boston,  
Board of Election Commissioners,  
November 15, 1927.

Hon. James Donovan,  
City Clerk.

Dear Sir,—We certify that at the City Election held in the City of Boston, November 8, 1927, for the choice of one member of the City Council from each of the twenty-two wards, for the term of two years, the following were elected from the wards as set forth against their names:

Ward 1, Timothy F. Donovan, 148 Lexington street.

Ward 2, Thomas H. Green, 117 Baldwin street.

Ward 3, John I. Fitzgerald, 7 Allen street.

Ward 4, Seth F. Arnold, 92 Huntington avenue.

Ward 5, Henry Parkman, Jr., 192 Beacon street.

Ward 6, Michael J. Mahoney, 270 West Third street.

Ward 7, William G. Lynch, 670 Columbia road.

Ward 8, John F. Dowd, 24 Clarence street.

Ward 9, Michael J. Ward, 20A Auburn street.



Ward 10, Roger E. Deveney, 36 Walden street.  
Ward 11, William A. Motley, Jr., 30 Hawthorne street.

Ward 12, Herman L. Bush, 112 Homestead street.

Ward 13, Frank B. Sullivan, 15 Robin Hood street.

Ward 14, Israel Ruby, 102 Talbot avenue.

Ward 15, Thomas W. McMahon, 164 Westville street.

Ward 16, Albert L. Fish, 12 Rowena street.

Ward 17, Robert Gardiner Wilson, Jr., 44 Kenwood street.

Ward 18, Peter J. Murphy, 48 Woods avenue.

Ward 19, Peter A. Murray, 7 St. John street.

Ward 20, Charles G. Keene, 156 Bellevue street.

Ward 21, Frederic E. Dowling, 4 Imrie road.

Ward 22, Edward M. Gallagher, 21 Oak square avenue.

We also certify that for the choice of three members of the School Committee for the term of four years, the following were duly elected to said office: Francis C. Gray, 349 Marlborough street.

Joseph J. Hurley, 5 Rocky Hill avenue.

Joseph V. Lyons, 666 Columbia road.

FRANK SEIBERLICH,

JAMES F. EAGAN,

PATRICK H. O'CONNOR,

NINA M. GEVALT,

Board of Election Commissioners.

Placed on file.

#### PAY ROLL REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds for the month of November, amounting to \$9,202.27, was received and approved.

#### MINORS' LICENSES.

Chairman DOWLING submitted petitions for minors' licenses for thirty-seven newsboys and four vendors. Approved under usual conditions.

#### CONSTABLES' BONDS.

The constables' bonds of Edward Oher and Joseph Weiner, having been duly approved by the City Treasurer, were received and approved.

#### RAILROAD POLICE.

Notice was received of the appointment of railroad police on petition of the New York, New Haven and Hartford Railroad.

Placed on file.

#### STORAGE AND SALE OF GASOLINE.

Notice was received from the Street Laying-Out Department of the Board of Street Commissioners of hearings before that board on petitions for storage and sale of gasoline, as follows:

December 5.

Alexander D. Aytges, 200 Brighton avenue, Ward 22, 1,000 gallons.

Leighton & Barrie, Incorporated, 80 Chapman street, Ward 2, 1,000 gallons.

Leighton & Barrie, Incorporated, 1439 Columbus avenue, Ward 11, 1,000 gallons.

Louis C. Powell, guardian, 64 Pleasant street, Ward 13, 2,500 gallons.

Standard Oil Company of New York, 1-35 Ferrin street, etc., Ward 2, 2,000 gallons.

Same company, 8-12 Granite avenue, Ward 16, 2,000 gallons.

Same company, 27 and 29 Park street, Ward 2, 2,000 gallons.

Same company, 472 and 474 Washington street, Ward 17, 2,000 gallons.

December 12.

Sullivan Merin, 157 Hampden street, Ward 8, 1,000 gallons.

Placed on file.

#### SIDEWALK, JEROME STREET.

Coun. McGRATH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 6 Jerome street, Ward 13, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### OVERHEAD ENTRANCE TO COLUMBIA STATION.

Coun. McGRATH offered the following:

Ordered, That the Transit Commission be requested, through his Honor the Mayor, to install an overhead entrance to the Columbia Station of the Dorchester Rapid Transit line from the end of Crescent avenue and Sydney street.

Coun. McGRATH—Mr. President, that order calls for a different entrance or an additional entrance, overhead, to the Columbia Station in the lower end of Ward 13. I might say that the present Columbia Station has an entrance from Columbia road, and all the surrounding property is vacant land. While it was necessary to go from that point to a central loading platform, it really does not serve the district as well as an entrance on the other side would. In the old days, when trains stopped there, the station was at the corner of Crescent avenue and Sydney street, and this calls for an overhead entrance from that section to serve the people. At the time it was thought that an auditorium or great civic center would be built there. But, as that has been taken care of by our friends of the Boston and Maine, and there is no need of a city auditorium in addition, I think perhaps this is a good time to have that new entrance put in. I move a suspension of the rule for the passage of the order.

The order was passed under suspension of the rule.

#### FIRE STATION, WARD 13.

Coun. McGRATH offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to establish a fire station in the vicinity of Savin Hill avenue and Dorchester avenue, for the proper protection of that district.

Coun. McGRATH—Mr. President, in connection with this order I will say that in the entire Ward 13 there is no fire station at present. About a year ago I took the matter up with the present Fire Commissioner, Mr. Hultman, who assured me that one of the first stations to be considered would be one in the vicinity of Savin Hill and Dorchester avenue. Since the letter was written to that effect they have opened both the new entrance at Crescent avenue and Savin Hill, which brings much more traffic there, and there have been added the Edward Everett, Savin Hill and John Lothrop Motley Schools, and the new St. Williams Parochial School, which takes care of 200 children, and it becomes more evident than ever that there is no adequate fire protection for the district. I certainly hope that this order, dealing with a very important matter, will go through.

Referred to the Executive Committee.

#### FRANCIS PARKMAN PLAYGROUND, WARD 19.

Coun. GUILD offered the following:

Ordered That the Park Commissioner, through his Honor the Mayor, be requested to include in the budget for the year 1928 of his department a sum sufficient for the construction of a field house containing shower baths and lockers on the Francis Parkman Playground, Wachusett street, Ward 19.

Coun. GUILD—Mr. President, in connection with that order I would like to say that this playground is the only one on the east side of the great Chinese wall that bifurcates Ward 19. It is used for the ordinary athletics conducted at the Francis

Parkman School, including football, both American and English style, and teams playing on that playground find it inconvenient to run to their several homes before changing their regalia. The order is supported by a petition of some five hundred residents of the district. The Park Commissioner informs me that when the playground was first taken it was planned to have a field house such as the order calls for erected there, but they simply got as far as drawing the plans and it went no further. It is the sincere hope of the residents of the district that something beyond the plans on paper will materialize during the year 1928.

The order was passed under suspension of the rule.

#### PROPOSED INCREASE IN GAS RATES.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to direct the Corporation Counsel to appear before the Public Utilities Commission on December 7 in opposition to the proposed increase in gas rates.

Coun. DOWD—Mr. President, in presenting this order I do so because of the fact that on December 7, a week from Wednesday, a hearing will be held before the Department of Public Utilities to protest against the proposed increase in rates which the Boston Consolidated Gas Company proposes to put into effect in the City of Boston amounting to anywhere from 10 to 60 per cent. I remember a short time ago when another corporation, the telephone company, decided to make a wholesale increase in rates to the public, the city took similar action on the matter. After all is said and done it is the small consumer who is really the one who suffers in such matters. At that time the Mayor sent a communication to the City Council asking the City Council to pass an order providing \$50,000 to hire special counsel to protect the people of Boston. I believe the gas situation at the present time is similar to that, that in fact it is even more threatening, in view of the fact that it affects particularly the poorer people in our congested districts, such as Roxbury, Charlestown, East Boston, the North End, the South End and other sections. I find that in my district the rate to poor people will be raised some 45 per cent, that poor unfortunates, unable to light their houses with electricity, will have to pay 40 to 45 per cent more for gas than they are paying at the present time. I believe it will be an unusual hardship on them. Whether or not it is justified I am not prepared to say, but we have a Law Department, which costs the taxpayers of this city more than \$700,000 a year, which is probably equipped to handle just such matters. If the Law Department is too busy at the present time to conduct the investigation in the interest of the people of this city, I believe the Mayor should take steps to furnish enough money to provide special counsel to go before the Public Utilities Board and protest as far as possible against the proposed increase.

Coun. PARKMAN—Mr. President, we have an expensive Law Department, but is a very able one, and if its time is not wholly occupied with making favorable betterments for land damages, I think it might well assign some of its staff to just this sort of thing. Or perhaps this might well come within the scope of the special legislative counsel to whom the city now pays a respectable salary to adequately represent it, at legislative hearings. It would seem to me that the matter might very well be taken care of before the Public Utilities Commission on December 7 in some such way. It is, of course, too early to go into the merits of the question. I doubt, however, if the councilor's figures are correct, that the proposed rates will result in a 40 to 45 per cent increase to small users of gas throughout the city. On the contrary, I believe the hearings will show that the small user of gas will be benefited as compared with the so-called rich householders and corporations.

Coun. DOWD—Mr. President, in answer to the councilor from the Back Bay district I might state that I have been informed by a public utility official that the increase in the Roxbury section will be from 40 to 45 per cent. I am simply taking those figures.

Coun. PARKMAN—Well, I don't think the councilor is fair in stating that there will be an

increase and an increase only. As a matter of fact, while I understand that there will be an increase in some cases, there will be a reduction in others. As a matter of fact, as I understand it, the increase will largely affect those using a substantial amount.

The order was read for information of Coun. Guild.

Coun. GUILD—Mr. President, apparently this is something addressed to the Corporation Counsel and does not call for the employment of any special counsel. It seems to me Coun. Parkman must have been under a misapprehension as to the nature of the order in addressing his remarks to the Board. The function of the Corporation Counsel, it seems to me, is to take care of just such matters as this, and, as the order does not carry any provision of employment of special counsel, to be employed at an additional expense, I shall favor it.

The order was passed under suspension of the rule.

#### IMPROVEMENTS FOR CENTRAL LIBRARY BUILDING.

Coun. KEENE called up assignment, No. 14, on the calendar, viz.

Ordered, That the sum of \$250,000 be and the same is hereby appropriated to be expended by the Trustees of the Public Library for the Central Library Building, fireproofing, improvements, etc., and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city for said amount.

The question came on the first passage of the order.

Coun. KEENE—Mr. President, the Chair and the other members will recall that at our last meeting there were not enough members present when this order was acted upon to pass it. I trust that it will be passed at this time.

The order was given its first passage, yeas 20, nays 0.

The order will come up for its final reading and passage in not less than fourteen days.

#### SMOOTH PAVING, WARD 6.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving West Fourth street, from Dorchester avenue to Dorchester street, Ward 6.

Passed under suspension of the rule.

#### ANNUITY TO ALBERT F. SINGLE.

Coun. KEENE offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation authorizing the City of Boston to pay an annuity to Albert F. Single, a former member of its Fire Department, who was permanently incapacitated from injuries received while in the performance of his duty.

Passed under suspension of the rule.

#### NEW PUBLIC STREET, WARD 11.

Coun. ENGLERT offered the following:

Ordered, That the Street Commissioners, through his Honor the Mayor, be requested to make a taking of unoccupied land and lay out and accept a public street connecting the easterly ends of Tower and Woodlawn streets in Ward 11.

Passed under suspension of the rule.

#### TRAFFIC OFFICER, ELIOT SQUARE.

Coun. WARD offered the following:

Ordered, That the Commissioner of Police, through his Honor the Mayor, be requested to assign a traffic officer for permanent duty at John Eliot square, Ward 9.

Passed under suspension of the rule.



## REMOVAL OF WATERING TROUGH.

Coun. WARD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to dismantle and remove the watering trough now located in John Eliot square, Ward 9, which is no longer used, and which is a menace to traffic at that place.

Passed under suspension of the rule.

## TRAFFIC CONDITIONS, ELIOT SQUARE.

Coun. WARD offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to conduct a study of traffic conditions at John Eliot square, Ward 9, with a view to taking the necessary steps to alleviate the danger to life of both pedestrians and automobile passengers now existing at that place.

Passed under suspension of the rule.

## TREE TRIMMING, OAKLEY STREET.

Coun. McMAHON offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to make arrangements for the trimming of the trees on Oakley street, Dorchester.

Passed under suspension of the rule.

## CHAMPNEY STREET, SOUTH BOSTON.

Coun. LYNCH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Champney street, South Boston, as a public highway.

Passed under suspension of the rule.

## PICTURES OF THOSE DYING IN WORLD WAR.

Coun. LYNCH offered the following:

Ordered, That his Honor the Mayor be requested to include in the budget for 1928 the sum of seventy-five thousand dollars, to be expended under the direction of the Superintendent of Public Buildings, for the purchase of memorial portraits of the Boston men and women who died in the service of this country in the World War, the portraits to be the same as those of the former Mayors, fire commissioners, and Presidents of the City Council, now hung in City Hall and Fire Headquarters, and that the Superintendent of Public Buildings locate these portraits in the city buildings of Boston nearest to the former homes of the deceased.

Referred to the Executive Committee.

## RECESS.

On motion of Coun. WILSON, the Council voted at 2.43 p. m., to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by Chairman DOWLING at 4.15 p. m.

## EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following:

1. Report on order (submitted by the Mayor November 14) revising toll rates on the East Boston ferries, the revision to take effect on and after January 1, 1928, recommending reference of the same to the next City Council.

Report accepted; said reference ordered.

2. Report on order (referred today) requesting the Mayor to include in the budget for 1928, \$75,000, to be expended under the direction of the Superintendent of Public Buildings, for the purchase of memorial portraits of the Boston men and

women who died in the service of this country in the World War, etc.,—that the same ought to pass.

The report was declared not accepted. Coun. LYNCH doubted the vote and asked for the yeas and nays.

The report was accepted—and the order was passed, yeas 16, nays 4:

Yeas—Coun. Donovan, Dowd, Englert, Fitzgerald, Freeley, Gilbody, Green, Keene, Lynch, Mahoney, McGrath, McMahon, Parkman, Ruby, Wilson, Wragg—16.

Nays—Coun. Arnold, Bush, Dowling, Guild—4.  
3. Report on order (referred today) that the Fire Commissioner be requested, through his Honor the Mayor, to establish a fire station in the vicinity of Savin Hill avenue and Dorchester avenue, for the proper protection of that district—that the same ought to pass.

Report accepted; said order passed.

4. Report on order (referred May 9) that an annuity of \$600 be allowed and paid to the widow of Frank H. Laskey, late member of the Boston Fire Department—that the same ought to pass.

Report accepted; said order passed.

5. Report on order (submitted by the Mayor and referred today) for a loan of \$180,000, to be expended by the Board of Street Commissioners, for the laying out, widening and construction of Tremont street—that the same ought to pass.

Report accepted, said order given its first reading and passage, yeas 19, nays—Coun. McGrath—1.

## PUBLIC LANDS.

Coun. McGRATH, for the Committee on Public Lands, submitted the following:

1. Report on order (submitted by the Mayor and referred October 17), authorizing the Mayor to sell at public auction, at an upset price of \$4,700 all rights, title and interest of the city in and to a parcel of land situated on the northeasterly side of Main street in Charlestown, and containing 2,367 square feet of land, more or less,—that the same ought to pass.

The report was accepted, and the question came on the passage of the order.

As the Clerk started to call the roll, Coun. FITZGERALD said:

Mr. President.

Chairman DOWLING—For what purpose does the gentleman rise? For information? The roll call has been ordered, and remarks from the floor are not now in order, except that a member may ask a question for information.

Coun. FITZGERALD—Mr. President, my purpose in rising was to ask the chairman of the committee a question in reference to this order.

Chairman DOWLING—If the gentleman rises for information, that comes within the rule. Coun. Fitzgerald asks information in relation to the order from the chairman of the committee.

Coun. McGRATH—Mr. President, over in Charlestown we have a tremendously big playground known as the Sullivan Square Playground. On the farther side of the playground there is an immense building built by the Schrafft Company. The line running between the property owned by the Schrafft Company and that owned by the City of Boston as a playground is such as to make a peculiarly shaped lot, and the adjoining owners are anxious to buy a piece of this land in order to straighten out their holdings. We held the usual hearing last week and there were no objectors. We asked the gentleman representing Charlestown in regard to the proposition and he explained that there was plenty of land left, that this simply meant the straightening out of this property, the city deriving as much benefit as the gentleman next door. Therefore, as this was favored by the representative in the Council from Charlestown, we favored it, as we would be apt to do in any case where a thing was favored by a representative from any part of the city, expressing the wishes of the people of his locality.

The order was given its first reading and passage, yeas 20, nays 0.

2. Report on order (submitted by the Mayor and referred October 3) authorizing the Mayor to execute and deliver to the Hedge & Mattheis Company license to build structure over a certain portion of a parcel of land at 285 Dorchester avenue, South Boston, which land was taken by the city for sewerage purposes, that the same ought to pass.

The report was accepted, and the question came on the passage of the order.

Coun. McGRATH—Mr. President, perhaps it would be well for me to give a little explanation of this order, so that there may be no misunderstanding in regard to it. This concerns one of the usual sewer easements, being a case where the city some years ago took land there for sewer purposes. This happens to be on Dorchester avenue, just below Dover street. A steel works company there, Hedge & Mattheis Company, want to build on a portion of this land where there is a sewer. It is provided, however, that if the Sewer Department wants at any time to bare pipes underneath, it can tear up the floors or do whatever is necessary to get at the pipes, without being subject to damages against the city for so doing. This has passed the Law Department and is favored by the various departments concerned. It is the same situation that we have in parts of West Roxbury, Forest Hills and other sections of the city. There seems to be no reason why the order should not pass.

The order was passed, yeas 19, nays—Coun. Fitzgerald—1.

#### CONFIRMATION OF APPOINTMENT AS CONSTABLE.

Coun KEENE, under unfinished business, called up No. 7 on the calendar, viz.:

7. Action on appointment submitted by the Mayor June 27, 1927, of John S. Avramides, to be a constable.

Coun KEENE—Mr. President, this is an appointment submitted by his Honor the Mayor on June 27, 1927, of John S. Avramides to be a constable. Mr. Avramides was up here on one or two occasions and was not called in. It is one of the new appointments. I met him personally in company with others. He is a Greek, seems to be a proper person to be a constable, and I feel that his appointment should be confirmed. If there is no objection I would like to have the matter acted upon today.

The question came on confirmation. Committee—Coun. McGrath and Parkman. Whole number of ballots, 19; yeas 16, nays 3, and the appointment was confirmed.

#### CONFIRMATION OF SUNDRY APPOINTMENTS.

Chairman DOWLING called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor, November 14, 1917, of Rosalyne Silbert, Ethel Piken, Freda Levine and Philip DiVanno, to be Weighers of Coal, and John H. Lynch, Richard S. McSorley, Anthony Demasino and Charles W. Sargent, to be Weighers of Goods.

The question came on confirmation. Committee—Coun. Wragg and Donovan. Whole number of ballots, 15; yeas 15, and the appointments were confirmed.

#### REPAVING ALEXANDER AND CEYLON STREETS.

Coun. McGRATH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to include in his budget for 1928 a sum sufficient to provide for the repaving of Alexander and Ceylon streets, Dorchester, with smooth pavement.

Passed under suspension of the rule.

#### DELAY IN REPORT ON FEES, ETC.

Coun. PARKMAN offered the following:

Ordered, That the Budget Commissioner, through his Honor the Mayor, be requested to inform the City Council the reason for the delay in submitting the report and recommendations prepared by him in the matter of the fees charged for licenses and permits, requested by the City Council order passed April 25, 1927.

Coun. PARKMAN—Mr. President, that order was submitted to the Budget Commissioner by vote of the City Council last April, and there has been plenty of time for a report to have been ren-

dered by the commissioner and submitted to the City Council for action. In fact, I understand that it has left the Budget Commissioner's office and now rests with the Mayor, to submit to the City Council for such action as he may approve. The reason why I ask for action at this time is that the report may call for legislation, and the time remaining before the Legislature convenes is now very short. I move a suspension of the rule for the passage of the order.

The order was passed under suspension of the rule.

#### BUS SERVICE ON COLUMBUS AVENUE.

Coun. ARNOLD offered the following:

Ordered, That his Honor the Mayor be requested to ascertain from the Board of Trustees of the Boston Elevated Railway the approximate date when bus service will be available on Columbus avenue.

Passed under suspension of the rule.

#### JURORS DRAWN.

Jurors were drawn, in the manner prescribed by law, the Mayor absent, as follows:

Twenty-two Grand Jurors, Superior Criminal Court, to appear January 3, 1928:

Henry W. Kenniston, Ward 2; Arthur H. Swann, Ward 3; Samuel H. Lord, Ward 5; Joseph A. Flynn, Ward 7; James Crane, Ward 8; Joseph J. Murray, Ward 10; William P. Smith, Ward 10; Benjamin Katy, Ward 13; Henry G. Miller, Ward 13; Frederick W. Pierce, Ward 16; Hyman Gerstein, Ward 17; Carl E. Laechler, Ward 17; William S. Lynch, Ward 17; Isaac Gluck, Ward 12; Clinton E. Hunter, Ward 18; William Haasis, Ward 19; John A. High, Ward 19; Seth Y. Parks, Ward 20; Harold E. Wilson, Ward 20; Joseph F. O'Donnell, Ward 22; James H. O'Hare, Ward 22; Robert R. C. Simpson, Ward 22.

Forty traverse jurors, Superior Criminal Court, First Session, to appear January 3, 1928:

Eugene F. Testa, Ward 1; John L. Cronin, Ward 2; Daniel Mulcahy, Ward 2; William F. O'Connor, Ward 2; Timothy McCarthy, Ward 3; Thomas F. Bowles, Ward 4; James D. Harrington, Ward 4; John H. Waterhouse, Ward 4; Arthur L. Smart, Ward 5; True W. White, Ward 5; Frank J. Coughlan, Ward 6; Frederick A. Mahoney, Ward 7; Frederick W. H. Kulkmann, Ward 10; John J. Madden, Ward 10; Oliver I. Morin, Ward 10; Charles E. Chaplin, Ward 11; John J. Hamilton, Ward 11; Mathew W. Lyons, Ward 11; John J. Needham, Ward 11; Philip Levine, Ward 12; W. Louis Millett, Jr., Ward 12; John N. Murphy, Ward 12; Frank H. Ryder, Ward 12; Henry E. Wall, Ward 12; Augustus H. Moore, Ward 14; Henry B. Driesoll, Ward 15; James T. Simmons, Ward 17; Harry N. Burnes, Ward 18; Joseph Langelthal, Ward 18; Thomas F. Dunn, Ward 19; F. Harold Norris, Ward 19; Joseph W. Wood, Ward 19; Frank Butcher, Ward 20; Edwin L. Cleaveland, Ward 20; Frederick J. Oberacker, Jr., Ward 20; Henry C. Orr, Ward 20; Clarence W. Packard, Ward 20; Ernest J. Love, Ward 22; Daniel B. Price, Ward 21; P. Briggs Wadsworth, Ward 21.

Three traverse jurors, Superior Criminal Court, Second Session, to appear January 3, 1928:

Joseph Breger, Ward 18; Timothy F. Donovan, Ward 19; George P. Butler, Ward 21.

Forty traverse jurors, Superior Criminal Court, Third Session, to appear January 3, 1928:

Frank Fagan, Ward 1; Leon P. Morse, Ward 1; James P. Carroll, Ward 2; John J. Harrington, Ward 2; Denis M. Kenely, Ward 2; Charles J. Lamb, Ward 2; John R. Lawler, Ward 2; Charles E. O'Donnell, Ward 4; Harry N. Stuart, Ward 4; Joseph Kramer, Ward 5; Douglas F. Osler, Ward 5; James O'Connor, Ward 6; Carl A. Grant, Ward 7; Joseph A. Schaff, Ward 7; Henry N. Doll, Ward 8; John A. Glynn, Jr., Ward 8; John H. Holland, Ward 8; David J. Murphy, Ward 8; James C. Carroll, Ward 10; Charles E. Mackenzie, Ward 10; Michael Bridges, Ward 11; John J. McLaughlin, Ward 13; Thomas F. Moynihan, Ward 13; Gerald H. B. McKee, Ward 17; Frank A. Morrill, Ward 17; George E. Newall, Ward 17; Paul G. H. Brueckner,



Ward 18; Joseph Milch, Ward 18; Arthur L. Rogers, Ward 18; William M. Smart, Ward 18; Joseph E. Dowd, Ward 19; Frank T. Lynch, Ward 19; Herbert L. Mayer, Ward 19; John J. Norton, Ward 19; Franklin W. Davis, Ward 20; Harry D. Nay, Ward 20; John L. Turner, Ward 20; Thomas McCourt, Ward 22; Daniel G. Sheils, Ward 22; Arthur F. Wood, Ward 22.

#### GENERAL RECONSIDERATION.

On motion of Coun. WRAGG, the Council refused a general reconsideration of all action taken today.

Adjourned, on motion of Coun. DOWD, at 4.42 p. m., to meet on Monday, December 5, at 2 p. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Monday, December 5, 1927.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at 2 p. m., Coun. DOWLING, senior member, presiding. Absent, Coun. Donovan, Dowd and Ward.

## JURORS DRAWN.

Jurors were drawn in the manner prescribed by law, the Mayor absent, as follows:

Thirty-five additional traverse jurors, Superior Civil Court, Fourth Session, October Sitting, to appear December 12, 1927:

Alfred Cunio, Ward 1; George J. Hanton, Ward 1; John W. O'Hanley, Ward 1; John J. Barry, Ward 2; William T. Bryan, Ward 2; James L. Boushell, Ward 2; William J. Burke, Ward 3; John J. Hogan, Ward 3; Solomon A. Epstein, Ward 4; William E. Mackat, Ward 5; Morris Rosenthal, Ward 8; Edward G. Hudson, Ward 9; Edward P. Murphy, Ward 9; George A. Riessfelder, Ward 10; Arthur R. Vosmos, Ward 10; William J. Lerner, Ward 11; William W. Morse, Jr., Ward 11; Philip Kramer, Ward 14; James E. Kelly, Ward 15; Michael H. Galvin, Ward 16; Albert F. Hunt, Ward 16; Raymond L. Sweeney, Ward 16; John B. Lynch, Ward 17; Joseph C. Flynn, Ward 18; Walter F. Fuller, Ward 18; Simon S. Duff, Ward 19; William J. Lynch, Ward 19; Charles F. Nicholson, Ward 19; Thomas F. Rooney, Ward 19; Stephen A. Cummings, Ward 20; Harry A. Gilman, Ward 20; Thomas G. Mackinley, Ward 20; Arthur N. Heald, Ward 21; William Barry, Ward 22; Arthur A. G. Folger, Ward 22.

Twenty-seven traverse jurors, Superior Civil Court, First Session, October Sitting, to appear January 3, 1928:

Alfred A. Woodside, Ward 1; Nishan M. Derderian, Ward 2; William J. Jennings, Ward 2; Edward L. Smith, Ward 2; Joseph L. Giordani, Ward 3; Eugene A. Barlow, Ward 4; Josiah P. Cressy, Ward 5; Walter G. Kennedy, Ward 5; Jeremiah J. McDonnell, Ward 6; John A. Reis, Ward 6; Lemuel McWilliams, Ward 10; John Wilfert, Ward 10; George B. Dennison, Ward 11; Patrick J. Finnegan, Ward 11; David Buckley, Ward 13; William J. Kerins, Ward 16; Francis J. Finnegan, Ward 17; James F. Butler, Ward 18; Philip A. Maguire, Ward 18; Ernest H. Woods orth, Ward 18; Alfred L. Clapp, Ward 20; Leon E. Lovejoy, Ward 20; Hugh McMillan, Ward 4; Ernest I. Brown, Ward 21; Frederick K. Cadigan, Ward 22; Walter J. Drugan, Ward 22; Francis D. Ouimet, Ward 22.

Twenty-five traverse jurors, Superior Civil Court, Second Session, October Sitting, to appear January 3, 1928:

John J. Day, Ward 1; Philip J. Gibbons, Ward 2; Lawrence Cromie, Ward 4; Frederick H. Adams, Ward 10; Thomas F. Kilday, Ward 10; Ferdinand F. Mayer, Ward 10; Benjamin Fine, Ward 11; Joseph H. Kerrigan, Ward 13; John W. Gilbert, Ward 14; Redmond Leary, Ward 16; Michael McDonnell, 1st, Ward 16; Robert G. Ruggles, Ward 16; Henry Schaefer, Ward 16; Byron S. Hamlin, Ward 17; David Callahan, Ward 18; Everett K. Freeman, Ward 19; Daniel N. Kenney, Ward 19; Arthur F. O. Cederstrom, Ward 20; Percy W. Foster, Ward 20; John W. Nelson, Ward 20; William Heptig, Ward 21; Thomas V. Wooten, Ward 21; John W. Goggin, Ward 22; Frank J. Kelley, Ward 22; Solomon Meyers, Ward 9.

Twenty-three traverse jurors, Superior Civil Court, Third Session, October Sitting, to appear January 3, 1928:

Edward W. Desmond, Ward 2; William P. Prendergast, Ward 2; Fred J. McPherson, Ward 4; James A. Place, Ward 4; James J. Manning, Ward 5; John H. Watkins, Ward 5; Maurice S. Cash-

man, Ward 6; Edward J. O'Connor, Ward 6; John J. McDonald, Ward 8; William N. A. McGillivray, Ward 8; Charles P. Dimick, Ward 10; Edward E. McNamara, Ward 10; John A. Hofling, Ward 11; Louis Segel, Ward 12; Charles S. Trapp, Ward 12; Albert L. Barrett, Ward 13; Edwin S. Purdy, Ward 13; David McWilliam, Ward 14; Edward J. Keohane, Ward 15; James P. Murphy, Ward 16; George W. Barry, Ward 20; William F. Kenney, Ward 21; James H. Welch, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Fourth Session, October Sitting, to appear January 3, 1928:

Michael Grace, Ward 1; Richard E. White, Ward 2; Herbert C. Hartwell, Ward 4; William L. Messick, Ward 4; Edward F. Powell, Ward 9; Charles Schlaich, Ward 11; Israel Rosenberg, Ward 12; George J. Lamb, Ward 13; Arthur R. Murphy, Ward 13; Isaac Norton, Ward 13; Frank G. Rourke, Ward 13; Frederick H. Townsend, Ward 12; Arthur E. Mitsch, Ward 14; John F. Cahill, Ward 15; John F. Coyne, Ward 15; John J. Mahoney, Ward 15; Charles D. Morris, Ward 15; Henry F. White, Ward 16; Florence E. Driscoll, Ward 17; John T. Flynn, Ward 17; William A. Bartley, Ward 18; Stephen Duncan, Jr., Ward 18; Fred H. Sloan, Ward 19; Bernard W. Dezotell, Ward 20; William C. Durham, Ward 20; Frederick N. Shackley, Ward 20; Charles H. King, Ward 21; William E. Houlihan, Ward 22; Michael McManus, Ward 22.

Twenty-two traverse jurors, Superior Civil Court, Fifth Session, October Sitting, to appear January 3, 1928:

Bartholomew J. Flaherty, Ward 6; George P. Workman, Ward 9; John H. Finnity, Jr., Ward 11; Albert E. Larson, Ward 11; Edmund D. Croke, Ward 13; William J. Dwyer, Ward 13; Robert L. Black, Ward 14; Joseph Israel, Ward 14; Nathan Levine, Ward 14; Neils P. Madsen, Ward 14; John E. Malloney, Ward 14; Guy H. Cummings, Ward 15; Edward G. Randolph, Ward 15; James H. White, Ward 15; Thomas D. Lynch, Ward 17; Walter B. Robertson, Ward 17; Oscar R. Poblentz Jr., Ward 20; Morton G. Baldwin, Ward 21; William J. Barrett, Ward 21; John Canning, Ward 22; Patrick J. McKenna, Ward 22; James H. Muldoon, Ward 22.

Twenty-two traverse jurors, Superior Civil Court, Sixth Session, October Sitting, to appear January 3, 1928:

George Pentleton, Ward 1; George M. Horner, Ward 2; Edward N. Wyner, Ward 3; William McManus, Ward 6; Michael A. Crowley, Ward 7; Jeremiah J. Driscoll, Ward 7; James A. Kiley, Ward 7; Arthur C. Cooper, Ward 8; Joseph C. Gorman, Ward 10; Stanley E. Reid, Ward 10; Valentine Richter, Ward 10; William L. Brown, Ward 11; Elmer M. Delano, Ward 13; John Z. Paquet, Ward 13; Daniel N. Murphy, Ward 16; Arthur J. Waterman, Ward 17; William F. Baker, Ward 20; Charles J. Kohler, Ward 20; Robert H. MacKinnon, Ward 20; Gustaf A. Wessman, Ward 21; James A. Brown, Ward 22; Charles S. Taylor, Ward 22;

Sixteen traverse jurors, Superior Civil Court, Seventh Session, October Sitting, to appear January 3, 1928:

John A. Sabrowsky, Ward 2; Edward J. Tipping, Ward 2; William J. Fitzgerald, Ward 3; Earl Chisholm, Ward 4; Augustus Schwehr, Ward 4; William J. Cotter, Ward 8; William J. Conroy, Ward 12; George E. Gordon, Ward 12; John J. Killackey, Ward 12; Harris W. Dauphinee, Ward 13; Herman H. Seligman, Ward 14; John H. Goggin, Ward 15; Robert Clegg, Ward 19; Walter H. C. Heim, Ward 19; Edwin L. Feibelman, Ward 21; Eugene A. Bailey, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Eighth Session, October Sitting, to appear January 3, 1928:

Jeremiah J. Cronin, Ward 4; Charles E. Riley, Ward 4; James O'Connor, Jr., Ward 6; James F. Glynn, Ward 8; Frederic P. White, Ward 9; Hugh Farrell, Ward 10; James F. Horan, Ward 11; John J. Kirwin, Ward 11; James B. Potts, Ward 11; Horace H. Ruggles, Ward 11; George M. Allen, Ward 12; Benjamin J. Sargent, Ward 12; James W. Sherman, Ward 12; George L. Smith, Ward 12; Joseph H. Gomez, Ward 13; Cornelius F. Sullivan,



Ward 13; Max Cohen, Ward 14; John J. Holohan, Ward 14; Timothy J. Desmond, Ward 15; John A. Waldman, Ward 15; James Casey, Ward 16; Myer Ruttenberg, Ward 17; Charles S. Foote, Ward 18; Alexander H. Rice, Ward 18; Crosby A. Whitney, Ward 18; Anton Vietze, Ward 20; Frederick A. Crouse, Ward 21; Garrett J. Barry, Ward 22; Walter Kavanagh, Ward 22.

#### APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted appointments as follows:

Weighers of Coal: John J. Kirby, 509 Rutherford avenue, Charlestown; John H. Chute, 330 Rutherford avenue, Charlestown; Ralph L. Chute, 330 Rutherford avenue, Charlestown.

Severally laid over a week, under the law.

#### OVERHEAD ENTRANCE, COLUMBIA STATION.

The following was received:

City of Boston,

Office of the Mayor, December 2, 1927.

To the City Council,

Gentlemen,—I transmit herewith a communication from the Transit Department, in reply to your order of November 28, 1927, relative to the installation of an overhead entrance to the Columbia Station of the Dorchester Rapid Transit line from the end of Crescent avenue and Sydney street.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Transit Department, December 2, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—Herewith is returned order of the City Council, dated November 28, 1927, requesting this department to install an overhead entrance to the Columbia Station of the Dorchester Rapid Transit line from the end of Crescent avenue and Sydney street.

Under the terms of chapter 480 of the Acts of 1923, providing for the extension of rapid transit facilities in the Dorchester district, no changes such as suggested herein can be made without the consent of the Boston Elevated Railway Company, the lessee of the property.

In view of the fact that a stairway has been built from Carson street to Columbia road to provide better access for people living in the vicinity of Crescent avenue and Sydney street, we are of the opinion that the heavy expenditure for providing this overhead bridge would not be justified.

Yours very truly,  
CITY OF BOSTON TRANSIT DEPARTMENT,  
by T. F. SULLIVAN, Chairman.

Placed on file.

#### TRIMMING OF TREES, OAKLEY STREET.

The following was received:

City of Boston,

Office of the Mayor, December 2, 1927.

To the City Council,

Gentlemen,—I transmit herewith a communication from the Chairman of the Park Department, in reply to your order of November 28, relative to the making of arrangements for the trimming of trees on Oakley street, Dorchester.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, December 1, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of November 30, with inclosure, order from the City Council that the Park Commission be requested, through your Honor, to make arrangements for the trimming of trees on Oakley street, Dorchester.

In reply I desire to say I will have the trees inspected immediately, and any necessary work will be promptly attended to.

Very respectfully yours,

W. P. LONG, Chairman.

Placed on file.

#### VETERANS' LOTS, MT. HOPE CEMETERY.

The following was received:

City of Boston,

Office of the Mayor, December 3, 1927.

To the City Council,

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of November 14, 1927, requesting that steps be taken to increase the area of the lot of Mt. Hope Cemetery now especially assigned to deceased Veterans of the Spanish American War.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, November 29, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of November 14, with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to take such steps as may be necessary to increase area of lot in Mt. Hope Cemetery, especially assigned to deceased Veterans of Spanish American War.

In reply I desire to say that I have this day recommended to your Honor that the request of the councilor be granted and that we be allowed to provide additional area for the deceased Spanish War Veterans.

Very respectfully yours,  
W. P. LONG, Chairman.

Placed on file.

#### FIELD HOUSE, FRANCIS PARKMAN PLAYGROUND.

The following was received:

City of Boston,

Office of the Mayor, December 2, 1927.

To the City Council,

Gentlemen,—I transmit herewith a communication from the Park Department, in reply to your order of November 28, 1927, requesting the Park Commissioners to include in the budget for the year 1928 a sum sufficient for the construction of a field house containing shower baths and lockers on Francis Parkman Playground.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, December 1, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of November 30, with inclosure, order from the City Council, requesting the Park Commissioners through your Honor to include in the budget for the year 1928, a sum sufficient for the construction of a field house containing shower baths and lockers on Francis Parkman Playground.

In reply I desire to say that this should be in the nature of a loan order. New construction work should not be placed in the budget.

Very respectfully yours,  
W. P. LONG, Chairman.

Placed on file.

#### PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

Claims.

C. K. Burach, for compensation for damage to property at 2 Stanwood terrace, caused by steam roller.

William P. Doherty, for compensation for injuries caused by an alleged defect at 127 Brighton street.

Emery Furniture Company, for compensation for damage to property at 732 Dudley street, caused by overflow of water.

Sarah Finer, for compensation for injuries caused by an alleged defect at Harrison avenue and Rochester street.

Minnie Greene, for compensation for damage to property at 139 Crawford street, caused by defective installation of water meter.

John D. Gregory, for compensation for damage to automobile caused by an alleged defect at 301 Huntington avenue.

Irene E. Hersey, for compensation for damage to automobile in Glenway street, Franklin Park.

David Hodgdon, for compensation for injuries caused by an alleged defect in Dorchester avenue.

Angelo Iorio, for compensation for damage to automobile by fire apparatus.

Nathan Margolis, for compensation for damage to automobile and personal injuries caused when car was commandeered by police.

Mary E. Mitchell, for compensation for damage to property at 129 Tyndale street, Roslindale, caused by construction of new sidewalk.

Otto F. Morgner, for compensation for damage to property at 1022 Bennington street, caused by break in water main.

Mary Murphy, for compensation for injuries caused by an alleged defect at corner of Tremont and Bromfield streets.

P. O'Riorden Forwarding Company, for compensation for injuries to horse caused by defective manhole at corner of State and Washington streets.

Carl B. Peterson, for expenses incurred in erecting cement wall at 40 Montcalm avenue.

James S. Roberts, for compensation for damage to automobile by city team.

Union Freight Railroad Company, for compensation for damage to engine by city truck.

Rose Virott, for compensation for damage to property at 730 Dudley street, caused by defective sewer.

B. M. Wein, for compensation for damage to automobile by city cart.

#### Special Committee on Jitney Licenses.

Boston Elevated Railway Company for license to operate motor vehicles between the Fenway, at junction of Boylston street and Charlesgate, East and Bowdoin square, over Charlesgate East, Ipswich street, Boylston street, Charles street, Cambridge street, Bowdoin square.

#### STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of the Board of Street Commissioners of hearings on petitions for storage and sale of gasoline on Monday, December 19, 1927, as follows:

Peter J. Dempsey, 295 Old Colony avenue, Ward 16, 1,000 gallons.

South Boston Motor Mart, 45 and 47 West Third street, Ward 6, 1,000 gallons.

John M. McDonald, 573-577 Commonwealth avenue, Ward 5, 3,000 gallons.

Referred to the Executive Committee.

#### APPROPRIATION SOCIAL LAW LIBRARY.

Coun. PARKMAN offered the following:

Ordered, That there be allowed and paid to the Proprietors of the Social Law Library the sum of \$1,000 for the maintenance and enlargement of said library; said sum to be charged to the appropriation for County of Suffolk, Social Law Library. Passed under suspension of the rule.

#### CHILDREN'S PLAYGROUND, CHARLESTOWN.

Coun. GREEN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to submit a report as to the advisability and expense of establishing a mother's rest and children's playground, and the erection of a building equipped with shower baths in Charlestown, by the taking of land bounded by Bunker Hill street, Charles street and Main street to number 453. Passed under suspension of the rule.

#### SIDEWALK RICHMOND STREET.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Richmond street, from 61 to 69, inclusive, Ward 17, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones. Under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### RECESS.

On motion of Coun. McMAHON, the Council voted at 2.34 p. m. to take a recess subject to the call of the Chair.

The members reassembled in the Council chamber and were called to order by Chairman DOWLING at 2.52 p. m.

#### EXTENSION OF MT. HOPE CEMETERY.

The following was received:

City of Boston,

Office of the Mayor, December 5, 1927.

To the City Council.

Gentlemen,—There has been brought to my attention a serious situation now existing in the Mt. Hope Cemetery in the amount of land available for single graves. Practically all of the available land within the cemetery has been developed so that unless additional land is made available it will soon be impossible to meet the demand for single grave lots. At the present time there is a section of land adjacent to the cemetery which should be secured before any housing development may be considered by the owners. In the opinion of the Board of Park Commissioners the sum of \$25,000 will be adequate to purchase this additional land and to develop it for single grave sections. In accordance with this opinion, I submit herewith an order providing for the appropriation of this amount from the special fund, sales of city property. I respectfully recommend adoption of this order by your honorable body.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, November 30, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—At a meeting of the Board of Park Commissioners held November 18, the matter of the serious situation now existing in the shortage of single graves, Mt. Hope Cemetery, was brought up for consideration.

Three studies of land that could be purchased, adjoining Mt. Hope Cemetery, were considered, and it was voted to request your Honor to ask the City Council for an appropriation of \$25,000 for the purchase and development of additional land adjoining Mt. Hope Cemetery for a single grave section which will be needed in the immediate future.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Ordered, That the sum of \$25,000 be and hereby is appropriated from Special Fund, Sales of City Property, for Mt. Hope Cemetery, Extension and Development of.

Chairman DOWLING—The message and order will be referred to the Committee on Finance.

Coun. GUILD—Mr. President, may I direct the attention of the Chair to Rule 28, which says: "No permission for the use of land for purpose of burial shall be granted until a hearing shall be given to the abutters"? Inasmuch as the matter must go ultimately to the Executive Committee on that question, it seems to me that it should be referred in the first instance to that committee.

Chairman DOWLING—The chair feels that this is a matter dealing with a possible appropriation for this purpose, that the question of the extension of the cemetery is not now before the Council and if there is no further objection, the reference will stand.

The matter stood referred to the Committee on Finance.

### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

On motion of Coun. GILBODY the Council took up, under unfinished business, the appointment of Hyman Rossman, to be a constable (in No. 2 on the calendar), and the appointment of Arthur L. Whitney and William E. Castaldo to be constables (in No. 4 on the calendar).

The question came on confirmation. Committee, Coun. Green and Keene. Whole number of ballots 17, yeas 17, and the appointments were confirmed.

Chairman DOWLING called up under unfinished business No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor, November 28, 1927, of Daniel Tempesta and Arthur Williamson, to be Weighers of Coal; Charles O'Neil, to be a Weigher of Goods; and Arthur Williamson, to be a Measurer of Wood and Bark.

The question came on confirmation. Committee, Coun. Fitzgerald and Guild. Whole number of ballots, 17, yeas 17, and the appointments were confirmed.

### PROPOSED SUFFOLK COUNTY JAIL IMPROVEMENTS.

Coun. GREEN, for the Committee on Finance, submitted the following:

Report on message and order (referred November 28) for a loan of \$100,000 for Suffolk County Jail Improvements—that the order ought to pass.

Coun. GREEN—MR. President, in connection with that matter, there is a report from Superintendent Englert of the Building Department and from the Sheriff, which I would like to have the Clerk read.

Clerk DONOVAN read the communications referred to, as follows:

Desmond and Lord, Architects.  
1 Beacon Street.

Boston, December 2, 1927.

In Re Suffolk County Jail:

Mr. J. P. Englert,  
Superintendent of Public Buildings, Room 802,  
City Hall Annex.

Dear Sir,—We estimate that it will cost the sum of one hundred thousand dollars (\$100,000) to erect building, install boilers with connection to main plant, and also provide opening for a door through North Grove street wall at the Suffolk County Jail, Charles street, Boston, Mass.

Very truly yours,  
DESMOND & LORD,  
by G. Henri Desmond.

Suffolk County Jail. November 17, 1927.  
Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—In order that certain essential improvements may be made in the Suffolk County Jail, I respectfully request that the sum of two hundred thousand dollars (\$200,000) be made available at as early a date as possible.

As I stated in our recent interview and pointed out in a communication under date of July 5, 1927, the state authorities have ordered such a radical reduction in the pressure of the present boilers as to greatly embarrass our heating system. Immediate relief must be had.

The present boilers are located within the main structure and constitute a constant menace to officers and inmates alike. It is proposed to erect a structure in the jail yard to house the new boilers. This plant, including boilers and means of conveying heat to the main building, can be constructed for approximately one hundred thousand dollars (\$100,000). This figure provides for furnishing two tubular boilers of ample pressure, wrecking of present workshop, removal of part of the protecting wall of jail, sinking concrete piles, erection of a suitable building and stack of sufficient height to preclude smoke nuisance and the building of trenches for forwarding the heat to the jail.

Traffic congestion has become so marked on Cambridge and Charles streets as to render the transportation of inmates to and from the courts extremely dangerous. To eliminate this danger that threatens every trip, I propose to abandon the entrance on Charles street and arrange to receive the van from North Grove street. This can be done by utilizing land owned by the city.

To make possible the carrying out of these much needed improvements the present wooden workshops must be razed, and a new fireproof building erected.

If this comprehensive scheme is approved, so much of the work as immediate wants demand could be provided and the balance completed later.

Trusting that you may see your way clear to act favorably upon this recommendation, I am

Very truly yours,

JOHN A. KELIHER, Sheriff.

The report was accepted, and the question came on the first reading and passage of the order.

Coun. FITZGERALD—MR. President, before the order goes through I would like to ask a question. Do I understand that that now provides for the taking of any of the land of the city yard?

Coun. GREEN—No.

Coun. GUILD—MR. President, at the committee hearing the information was given to us that it only provided for a passage across the city yard in order to reach a new gate to be constructed, that it didn't involve anything more than a right of way across what is now being used for a city yard.

The order was given its first reading and passage, yeas 17, nays 0.

Assigned for fourteen days for final action.

### PLAYGROUND, DORCHESTER.

Coun. McGRATH offered the following:

Ordered, That the City Planning Board be requested, through his Honor the Mayor, to report to the City Council as to the advisability and expense of establishing a playground in the area bounded by Dudley street, Howard avenue, Harlow and Folsom streets, Dorchester.

Passed, under suspension of the rule.

### FIELD HOUSE, FRANCIS PARKMAN PLAYGROUND.

Coun. GUILD offered the following:

Ordered, That the sum of \$12,000 be appropriated, to be expended under the direction of the Park Department for the construction of a field house containing shower baths and lockers on the Francis Parkman Playground, Wachusett street, Ward 19, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Coun. GUILD—MR. President, the order which was introduced and passed by the Council last week for the inclusion in next year's budget of an item for the construction of this building was returned with a communication today from the Park Commissioner that it was not proper to put it in the budget but that it would be a proper subject for a loan. I therefore present the order that has been read.

The order was referred to the Committee on Finance.

### GENERAL RECONSIDERATION.

On motion of Coun. WILSON, a general reconsideration of all action taken today was refused.

Adjourned at 3.04 p. m., on motion of Coun. RUBY, to meet on Monday, December 12, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, December 12, 1927.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., Chairman DOWLING, senior member, presiding. Absent—Coun. Arnold, Freeley, Mahoney and Parkman.

## JURORS DRAWN.

Jurors were drawn, in the manner prescribed by law, the Mayor absent, viz.:

Twenty-nine traverse jurors, Superior Civil Court, Ninth Session, January Sitting, to appear January 3, 1928:

Michael J. Driscoll, Ward 1; James H. Keenan, Ward 2; John B. Kelley, Ward 2; Luther Ellsworth Knowlton, Ward 2; Lester M. Beckhard, Ward 5; Terence J. Hannon, Ward 5; Charles B. Slater, Ward 5; Robert J. Slater, Ward 5; John J. Doyle, Ward 6; John Harvey, Ward 6; Patrick Keaney, Ward 6; Roger M. Ryan, Ward 8; Edward M. Moylan, Ward 9; Bernard R. Coulahan, Ward 10; W. E. Rudolph Voelker, Ward 10; Ernest S. Whelpley, Ward 11; Thomas F. Lynch, Ward 12; Frank G. Pickering, Ward 12; Daniel Cronin, Ward 13; John W. Kelly, Ward 13; Charles J. Birch, Ward 14; William H. Daly, Ward 15; Thomas P. Shanney, Ward 17; David A. Westcott, Ward 17; James J. Burns, Ward 19; Frank A. Cunningham, Ward 20; Charles Lang, Ward 20; James W. Birmingham, Ward 21; Maitland H. Lamb, Ward 21.

## DEATH OF HON. NATHAN MATTHEWS.

The following was received:

City of Boston,  
Office of the Mayor, December 12, 1927.  
To the City Council.

Gentlemen,—It becomes my sad duty to advise you of the death of Hon. Nathan Matthews, Mayor of Boston, in the years 1891-1895, inclusive.

Mr. Matthews was one of the most profound leaders in the United States in the knowledge of municipal government and its varied problems, political economy and jurisprudence.

No man ever served the City of Boston with greater fidelity, more devotion to the interests of the city or with greater love for the well-being of our citizens.

Former Mayor Matthews was born in Boston upon March 28, 1854, a descendant of the Cape Cod Pilgrims, educated in the public and private schools of Boston, entered Harvard University in his eighteenth year, and was graduated with high mathematical honors in 1875.

In the foundation of his life work, Mr. Matthews entered the University of Leipzig, Germany, and at this noted seat of learning gave a most earnest two years' study to political economy and its attendant problems.

Mr. Matthews began the practice of law in Boston in 1880 and early proved himself an advocate of fine acumen, tireless industry and became one of the foremost lawyers of the country.

He was elected Mayor of Boston in 1891 and serving four terms of one year each proved himself a master of the varied problems that related to our municipal government. He was an earnest advocate of the building of new parks and recreational facilities, the development of the sewerage system in Boston and especially the building of schoolhouses.

Mr. Matthews advocated the administration of the Police Department under a single executive, the appointment of a Board of Street Commissioners by the Mayor in place of election, a City Council of reduced membership and the direction of the public schools in charge of a superintendent.

He recommended the imposition of a tax upon legacies, the collection of fees from corporations

using the public streets and was the splendid advocate of plans which largely resulted in the building of the first subway in Boston.

Mr. Matthews was one of the framers of the present charter of the City of Boston and served as first chairman of the Boston Finance Commission in 1907-1909.

He was lecturer in the Department of Government of Harvard University in 1909-1912 where his fearless presentation of the problems related to national, state, and municipal government attracted country-wide attention.

Mr. Matthews, appreciating the high character of the principles involved, served as president of the Franklin Foundation with great ability and singular devotion in outlining the administration of this important Boston institution in providing ways and means that young men, wholly dependent upon their personal effort, might graduate well qualified for the various professions incident to the commercial and industrial life of the city.

The Boston Public Library was completed during Mr. Matthews administration and under the leadership of the late Col. J. H. Benton, his appointee, has won a world-wide renown.

Mr. Matthews served as chairman of the Trustees of the Massachusetts State Library and as special counsel of the United States Railroad Administration he served the United States Government during the World War in 1918 and 1919. He served as chairman of the Boston Commission on the Budget System in 1916 and was chairman of the Commission on New Sources of Revenue in 1920 and 1921.

Mr. Matthews was a life-time student of the genealogy of Boston and Massachusetts to which he gave a voluntary labor of great excellence and was vice-president of the American Academy of Arts and Sciences, member of the New England Historical Genealogical Society, and the Massachusetts Historical Society.

During the later years of his life, Mr. Matthews was an especially popular lecturer upon historical, legal, economic and political subjects and also contributed many articles to leading publications upon these general subjects.

We mourn the memory of a man, who was not only of Boston's first citizens, but lived life's best estate and who leaves our city poorer for his loss.

His fine acumen, his familiarity with the greatest problems that affect the national life of our country, his great ability as advocate and counsellor and his devotion to every interest entrusted to his care brings a deep and abiding sense of sorrow to every citizen of Boston.

As a tribute of respect I have this day ordered all flags upon municipal buildings, parks and playgrounds to be lowered to half-staff.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.  
Placed on file.

## RECONSTRUCTION COLUMBUS AVENUE BRIDGE.

The following was received:

City of Boston,  
Office of the Mayor, December 12, 1927.  
To the City Council.

Gentlemen,—Under date of May 9, 1927, I submitted to your honorable body an order providing for a petition of the Department of Public Utilities for the reconstruction of Columbus Avenue Bridge over the tracks of the Boston & Albany Railroad. I am advised that this petition has been approved by the Public Utilities Department and that the Boston & Albany Railroad officials have assented to the terms and conditions of the order. The structure is at the present time in a very bad condition and in the opinion of the Commissioner of Public Works immediate reconstruction is absolutely necessary. I appreciate there is very little time left for your honorable body to pass on appropriations involving the issuance of bonds but in view of the urgency of this particular matter I feel it desirable that the necessary authorization be granted before the close of this fiscal year, in order that the Public Works Department may be empowered to start the necessary work without great delay.

I accordingly submit herewith a loan order providing for an appropriation of \$85,000 to be utilized in the reconstruction of the Columbus

Avenue Bridge and respectfully recommend immediate consideration of your honorable body.

Very truly yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
December 7, 1927.

To the Honorable the Mayor.

I send herewith an order issued by the Department of Public Utilities, as the result of a petition of the City Council, for the reconstruction of Columbus Avenue Bridge over the tracks of the Boston & Albany Railroad. The agreement connected with it has been signed by the vice-president of the New York Central Railroad Company and by the Commissioner of Public Works, and it will have to be approved by your Honor to become effective.

The present condition of the bridge is very poor and reconstruction is absolutely necessary. A loan to cover the cost of the work will be required, and I respectfully recommend that a request, in the sum of \$85,000, be sent to the City Council.

Just what portion of this expense will be borne by the Boston & Albany Railroad has not been determined but will be later on. Plans and specifications are about ready and it will be possible to advertise the work within the next month, or as soon as the preliminaries connected with this order of the Department of Public Utilities are complied with.

Yours respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Ordered, That the sum of \$85,000 be and hereby is appropriated, to be expended under the direction of the Commissioner of Public Works, for Columbus Avenue Bridge, and that the City Treasurer be authorized to issue from time to time, on request of the Mayor, bonds or certificates of the city to said amount.

Referred to the Executive Committee.

#### STADIUM IN FENS.

The following was received:

City of Boston,  
Office of the Mayor, December 12, 1927.  
To the City Council.

Gentlemen,—I am advised that the sum of \$56,044.62 is now available for appropriation in income from the Parkman Fund. Under the conditions governing the use of the fund this income must be appropriated before the close of this fiscal year, or else it will revert to the principal. It is my desire to construct in the Fens Section of the park system a stadium to be primarily for the athletic activities of our school system. The balance which is now available may be used to finance a portion of the cost of such a stadium. I accordingly submit herewith an order providing for the necessary appropriation and respectfully recommend immediate consideration by your honorable body.

Very truly yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, December 9, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—At a meeting of the Board of Park Commissioners held December 7, it was voted, that you be respectfully requested to ask the City Council to appropriate from the income of the George F. Parkman Fund the sum of \$56,044.62 for the purpose of building Section 2 of the School Boys' Stadium in the Back Bay Fens—this work will also include the starting of the construction of a field house building and bleachers, etc.

Very respectfully yours,  
WILLIAM P. LONG,  
Chairman.

Ordered, That the sum of \$56,044.62 be and the same hereby is appropriated from the income of the Parkman Fund, to be expended under the direction of the Park Commission, for the maintenance and improvement of the Common and parks in existence on January 12, 1887, as follows:  
Fens, Improvements..... \$56,044 62

Coun. KEENE—Mr. President, I move reference of the matter to the Executive Committee.

Coun. Keene's motion was declared carried.

Coun. WILSON—Mr. President, I doubt the vote and ask for a verification by a show of hands.

Coun. DOWD—Mr. President, if there is no objection, as a member of the Committee on Parkman Fund, I would like to say a word. We held today a meeting in regard to the Parkman Fund. As we all understand, if the money is not used today, it is going to be placed in the principal of the Parkman Fund. There is no reason why it should revert back to the fund, in view of the fact that the Mayor has decided to erect a stadium costing—

Chairman DOWLING—The Chair would say that the gentleman is out of order, the question being on solving the doubt. Those in favor of reference to the Executive Committee will raise their right hand. (A number of members did so.) The reference is carried.

The message and order stood referred to the Executive Committee.

#### PLAYGROUND, CHARLESTOWN.

The following was received:

City of Boston,  
Office of the Mayor, December 12, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in answer to your order of December 5, 1927, relative to the advisability and expense of establishing a mothers' rest and children's playground, and erection of building equipped with shower baths in Charlestown, by the taking of land bounded by Bunker Hill street, Charles street and Main street to No. 453.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, December 9, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of December 8, with inclosure, order from the City Council, requesting the Park Commission through your Honor, to submit a report as to the advisability and expense of establishing a mothers' rest and children's playground, and erection of building equipped with shower baths in Charlestown, by taking of land bounded by Bunker Hill street, Charles street and Main street to No. 453.

In reply I desire to say that this communication will be carefully considered by the Committee on Parks and Playgrounds at a meeting to be held during the month of February.

I will say, however, that I do not think it is advisable to install shower baths in a mothers' rest and children's playground.

Very respectfully yours,  
W. P. LONG, Chairman.

Placed on file.

#### TRAFFIC OFFICER, ELIOT SQUARE.

The following was received:

City of Boston,  
Office of the Mayor, December 12, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Commissioner, in reply to your order of November 28, 1927, relative to the assigning of a traffic officer for permanent duty at Eliot square, Ward 9.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

December 9, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Replying to your note of November 30, together with order of the City Council, that the Police Commissioner, through his Honor the Mayor, be requested to assign a traffic officer for permanent duty in Eliot square, Ward 9, I wish to state that I am sending you herewith, copy of report of Deputy Superintendent Goode relative to the same, in which report I concur. I am also sending copy of report of Captain Gallivan of Division 10 relative to the school crossing.



I am returning herewith, your note under date of November 30, also original order of the City Council passed November 28, 1927.

Yours respectfully,  
HERBERT A. WILSON,  
Police Commissioner.

December 8, 1927.

To the Commissioner.

Sir,—In connection with attached communications from the office of the Mayor and City Clerk, in which it is requested that a traffic officer be assigned for permanent duty in Eliot square, I respectfully report that in my opinion it would be impractical for one officer to regulate traffic in this large area.

A few months ago a beacon flashlight traffic signal was installed in this square; also, white painted lines from the car stop on one side of Eliot square, across and to the other side at Highland street and a white center line with a curved arrow was placed in Centre street where it joins this square.

I am submitting attached Captain Gallivan's report whom I took the matter up with in reference to school children or any congested period of the day that he is taking care of, or that he may be able to take care of.

Whenever we have sufficient traffic officers, which will allow us to place two of them in this square, I will be glad to make a further recommendation on this request.

Respectfully submitted,  
THOMAS F. GOODE,  
Deputy Superintendent.

December 6, 1927.

Thomas F. Goode,

Deputy Superintendent.

Sir,—In reference to your letter of the 3d inst. *in re* to the placing of a traffic officer in Eliot square, report as follows:

Some time ago this question came up, and I assigned Sergeant Hartnett there for several days to tally up the school children that cross the square. The number is quite small that cross the wide square; they do come from Centre street, but they are on the side of the square that the schools are on, farther down the street. I have never had an officer there for the route men that touch the square are taking care of more important crossing effecting school children, in fact all the route officers on the division are assigned to school crossings and I use a house day man at the crossing at the noon letting out and going in, and also at 3.30 p. m. The traffic officer from Division 20 is not there at the times mentioned.

One man in Eliot square, is sort of going to be lost, there being no center safety zone, the square being very wide, and I think some center safety zone might be installed at some place making it better to cross at some particular place rather than all over the place as they do now.

Respectfully submitted,  
JEREMIAH F. GALLIVAN,  
Captain, Division No. 10.

Placed on file.

#### SALE OF LAND, WASHINGTON STREET AND METROPOLITAN AVENUE.

The following was received:

City of Boston,  
Office of the Mayor, December 12, 1927.  
To the Honorable City Council.

Gentlemen,—Inclosed find an order authorizing his Honor the Mayor in the name and behalf of the city to sell at public auction at an upset price of \$4,000 all the right, title and interest the city has in and to a parcel of land with the building thereon situated on the northwesterly side of Washington street and on the southwesterly side of Metropolitan avenue, at the junction of said street and avenue, in that part of Boston, formerly West Roxbury, containing about 12,898 square feet of land, more or less, and to execute a deed of the same to the purchaser in form satisfactory to the Law Department.

Respectfully submitted,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That his Honor the Mayor be and he hereby is authorized in the name and behalf of the city to sell at public auction at an upset price of \$4,000 all the right, title and interest the city has

in and to a parcel of land with the building thereon situated on the northwesterly side of Washington street and on the southwesterly side of Metropolitan avenue, at the junction of said street and avenue, in that part of Boston formerly West Roxbury, containing about 12,898 square feet of land, more or less, and to execute a deed of the same to the purchaser in form satisfactory to the Law Department.

Referred to the Committee on Public Lands.

#### REPORT ON FEES FOR LICENSES AND PERMITS.

The following was received:

City of Boston,  
Office of the Mayor, December 12, 1927.  
To the City Council.

Gentlemen,—I submit herewith, a report from the Budget Commissioner in reply to an order adopted by your honorable body on April 25, 1927.

Very truly yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Budget Department, December 8, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Pursuant to an order of the Boston City Council, dated April 25, 1927, I submit herewith a report covering a survey and study of the fee system of Boston.

Respectfully yours,  
CHARLES J. FOX,  
Budget Commissioner.

Appended was the report referred to.

Coun. GUILD—Mr. President, I move that the report be printed as a document and referred to the Committee on Legislative Matters. It is a matter in which Coun. Parkman, who is not now present, has exhibited a good deal of interest in times past and, I think, a matter that warrants considerable study.

It was voted that the appended report of the Budget Commissioner be printed as a public document and referred to the Committee on Legislative Matters.

#### RESTRAINING OF DOGS.

The following was received:

City of Boston,  
Office of the Mayor, December 5, 1927.  
To the City Council.

Gentlemen,—I submit herewith an order for the restraining of all dogs within the limits of the City of Boston from running at large for a period of ninety days, on account of the alarming increase in the number of positive cases of rabies reported, and I respectfully recommend its immediate consideration by your honorable body.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Health Department, December 1, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I am inclosing herewith a letter received from the State Director of Animals Industry, which is self-explanatory, and explains the rabies situation and the necessity for restraining dogs for a period of at least ninety days.

I am also sending you a proposed order, a similar one having been in effect for the same period in Boston in other years.

It is recommended that this order be placed before your Honor and the City Council for passage and approval.

Yours respectfully,  
F. X. MAHONEY, M. D.,  
Health Commissioner.

The Commonwealth of Massachusetts,  
Department of Conservation,  
Division of Animal Industry,  
State House, Boston, December 30, 1927.

#### NOTICE.

To Mayors of Cities and Chairmen of Selectmen of Towns:

In view of the alarming increase in the positive cases of rabies reported to this office, the Division



of Animal Industry collaborated with the Department of Public Health in inviting the heads of the Health and Police Departments of thirty-five cities and towns to a conference to discuss ways and means to control by regulatory measures this menace to the health and safety of the public.

At the meeting held in Room 460, State House, Boston, November 29, there were fifty present representing twenty-three places. It was the unanimous opinion of the entire group that owing to the seriousness of the situation as shown by an increase of 427 positive cases this year over last year some concerted action should be taken in the district so badly affected.

This is to notify you that in the writer's opinion there is grave danger of an outbreak and spread of rabies, and you are advised, under the authority given you by section 167, chapter 140 of the General Laws, to order all dogs (whether immunized or not) in your city or town to be restrained from running at large for a period of ninety days beginning December 15, 1927. (The meeting went on record as concurring with the conviction of this division that dogs should be restrained instead of muzzled, as muzzling is ineffectual and less humane.) This recommendation is going to the attached list of cities and towns from which two or more positive cases of rabies have been reported in the past six months, or towns adjoining thereto.

Please acknowledge receipt of this communication.

Also advise promptly of co-operative action taken as in the event that no order is issued by proper authority in your city or town the director will have no course left open to him other than to exercise the authority given him in Department Order No. 34, copy of which is attached. This provides that unless a restraining order is issued by the proper local authority within seven days after such notice the director may order all dogs in such city or town to be restrained from running at large for a period of three months. Your Board of Health has doubtless already recommended the advisability of co-operation in such concerted action.

Very sincerely yours,  
FRANK B. CUMMINGS,  
Director.

The Commonwealth of Massachusetts,  
Department of Conservation,  
Division of Animal Industry,  
STATE HOUSE, Boston, April 3, 1918.

#### ORDER NO. 34 (RABIES.)

To all persons whom it may concern:

Department Order No. 4 is hereby revoked and the following order substituted therefor:

Section 1. In any city or town within the limits of this Commonwealth where, in the opinion of the Director of Animal Industry, there is danger of an outbreak and spread of rabies, if the mayor and aldermen of a city or the selectmen of a town after being notified of such danger and advised by the Director of Animal Industry to order all dogs in such city or town properly and securely muzzled or restrained from running at large, under the authority given them by section 158 of chapter 102 of the Revised Laws, refuse or neglect to do so for seven days after such notice, the Director may order all dogs in such city or town to be securely muzzled or to be restrained from running at large for a period of three months from the date of notice to the local authority. The Director may then extend this period if in his opinion conditions render the same necessary.

Sect. 2. Dogs running at large unmuzzled contrary to the provisions of this order, and any dogs or cats known to have been bitten by a dog affected with rabies, may be killed on order of the Director.

Sect. 3. All dogs known to have bitten persons shall be quarantined for a period of fourteen days for observation, at the end of which period if no symptoms of rabies have developed said animals may be released from quarantine on order of the Director.

Sect. 4. All persons are forbidden to tamper with or disfigure any notice posted by order of the Director of Animal Industry, subject to the penalty of the law.

LESTER H. HOWARD,  
Director of Animal Industry.

Approved in Council April 3, 1918.

E. F. HAMLIN, Executive Secretary.

Ordered, That for a period of ninety days from the date of the passage of this order, all dogs within the limits of the City of Boston be restrained from running at large, and the members of the police force of the City of Boston are hereby authorized and empowered to make special service upon the owner or keeper of each dog within the limits of the city by delivering to the owner or keeper of such dog a certified copy of this order.

Referred to the Executive Committee.

#### PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

##### Claims.

L. Avanzino & Brother, Inc., for compensation for damage to truck by fire apparatus.

Opal A. Barnes, for compensation for damage to automobile by dump cart.

Samuel E. Bloomberg, for refund on personal property tax.

P. Joseph Collins, for compensation for damage to automobile caused by an alleged defect at 286 Columbus avenue.

Robert W. S. Cox, for compensation for damage to automobile caused by an alleged defect in Mendum street, Roslindale.

Mrs. Charles Crowell, for compensation for articles taken by ashmen from 30 Concord street, Charlestown.

Elizabeth M. Duffy, for compensation for injuries caused by an alleged defect at Broadway and I street.

M. M. Fineberg & Co., for compensation for damage to truck by city truck.

Mary F. Gibbons, for compensation for injuries caused by an alleged defect at 97 Dakota street.

Michael Gravelese, for compensation for damage to property at 657 Washington street, caused by ash truck.

J. H. Hennessey, for compensation for damage to automobile by city wagon.

Zella Hirsh, for compensation for injuries caused by an alleged defect at Quincy and Bellevue streets.

Ize Katarsky, for compensation for injuries caused by an alleged defect at Castle and Tremont streets.

M. A. Levine, for compensation for damage to automobile by city wagon.

Matthew Lucci, for compensation for loss of hat taken from City Hospital.

Michael J. McGovern, for compensation for injuries by fire apparatus.

Mrs. Luke F. Mitchell, for compensation for damage to property at 36 Geneva avenue, caused by break in water main.

Miriam Murray, for compensation for damage to automobile by fire apparatus.

Jane E. and William H. Rose, for compensation for damage to property at 86 Arlington street, Brighton, caused by change in grade in street.

Joseph Sordillo, for compensation for damage to property at 96 North street, caused by backing up of sewage.

A. Weisskopf, for compensation for damage to automobile by street sign.

Mrs. Annie Wilson, for compensation for injuries caused by police car.

Bernard Appel, for compensation for damage to automobile caused by city truck.

Anna Dunleavy, for compensation for damage to coat torn on wire protruding from enclosure in park, Central square, East Boston.

J. Leo Horgan, for compensation for injuries and damage to automobile caused by defective condition of highway on Ashland street.

Grace Horgan, for compensation for injuries caused by defective condition of highway on Ashland street.

Helen Horgan, for compensation for injuries caused by defective condition of highway on Ashland street.

Mary V. Horgan, for compensation for injuries caused by defective condition of highway on Ashland street.

Isaac Perry, for compensation for damage to team caused by defect in street on Atlantic avenue.

M. Model, for compensation for damage to property at 1849 Washington street, caused by city truck.

Dwight Smith Company, for compensation for damage to property at 1404 Columbia road, caused by break in water main.

## Special Committee on Jitney Licenses.

Boston Motor Tours, Inc., to operate four White motor buses, between Boston and Fall River.

Boston Elevated Railway Company to operate buses, between junction of Columbus avenue and Warren avenue (Columbus square) and junction of Tremont street and Shawmut avenue, over Columbus avenue, Chandler street, Tremont street, Shawmut avenue and Broadway.

## LOCATION TO EDISON ELECTRIC ILLUMINATING COMPANY OF BOSTON.

Notice was received from the Metropolitan District Commission of conduit location granted to Edison Electric Illuminating Company of Boston in Old Colony Parkway.

Placed on file.

## PAY ROLL, REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds for the period from November 18 to December 6, piece work, and from December 1 to December 15, regular employees, amounting to \$6,632.81, was received and approved.

## APPROVAL OF APPOINTMENT, TILTON S. BELL.

Notice was received of the approval by the Commissioners of Civil Service of the appointment of Tilton S. Bell, 31 Gleason street, Dorchester, to the position of member of Board of Overseers of Public Welfare.

Placed on file.

## REMOVAL OF CONSTABLE.

Notice was received from the Mayor of the removal on December 6, 1927, of Thomas Freedman, from the position of constable.

Placed on file.

## D. M. BIGGS CONTRACT.

Coun. RUBY offered the following:

Ordered, That his Honor the Mayor be requested to cancel at once the contract with the D. M. Biggs Company for collection of ashes and garbage in the Dorchester district, and to direct the bonding company to enter the said district and proceed to perform the duties specified in the said contract.

Coun. RUBY—Mr. President, sometime ago we had an order similar to this introduced by one of the other councilors from Dorchester, and evidently nothing came of it. Yesterday during the day I received as many as fifty or sixty telephone calls from people going to and from their respective churches, calling my attention to what I consider one of the worst conditions that could take place—the permitting of ash barrels loaded to the brim, allowed to remain in the street from Saturday morning until possibly this morning or later. It would seem as though the people from my district had a right to expect that they could go from their homes to their places of worship and back again on Sunday without having to suffer from that sort of thing, because of the neglect of contracting companies. One of the people of my district had occasion to call the contractor's home yesterday, after calling me, and she told me that the word she got was that the contractor was too busy to talk to her, she being greeted in a sarcastic vein by somebody in the house who said he could not be bothered. I believe his Honor the Mayor ought to take cognizance of this situation, even although that particular contractor will not be allowed to remove the ashes and garbage in Dorchester next year. I believe, as I have said before, that barrels of ashes should not be allowed to remain on the streets over Sunday by the different contracting firms, when they have been placed out under the reasonable supposition at least that they would be removed. I respectfully suggest suspension of the rule and passage of the order.

Coun. McGRATH—Mr. President, the councilor from Ward 17 and now the councilor from Ward 14, as well as the other Dorchester councilors, are

finally beginning to see that in what I said a year ago about Mr. Biggs there is a great deal of truth. The fact that we attacked this gentleman five or six months ago stopped him from getting what he had been promised he would get—the renewal of the contract in Dorchester—regardless of the fact that his price might be high. I did not know, sir, that my colleague from Ward 14 was going to introduce this order until I heard it read, but it must be evident by now to every member of this Council that Mr. Biggs certainly bears a charmed life, for one who is no friend of the present administration; and, sir, if it were not for the criticism to which he has been subjected, if it were not for the fire directed upon that gentleman because of his inefficiency as displayed in the present instance in the councilor's ward, Ward 14, during the past year, he would have obtained that Dorchester contract, even though his price was \$40,000 higher, and he would have been allowed to keep that \$40,000, of course, himself, because he has no friends in this administration. But, sir, in order to further emphasize the importance of Mr. Biggs, when they did not have the courage after my fight showing that he was in right, to give him this contract for \$40,000 above another gentleman, he was given one of those gratuities that are such delicious plums, the snow removal contracts—as Mr. O'Rourke, of Dorchester, a very prominent man politically, who gets contracts at 50 cents a yard for snow removal, and then, sir, under the name, not of O'Rourke, but "Ormac," a combination of the names of O'Rourke and McNary, associates himself with a former Congressman and a former bank president, sir, and gets 60 cents per yard. That is, sir, when the former Congressman comes in with Mr. O'Rourke the same snow falling from the same heavens is worth 10 cents a yard more to remove. But I warn the councilor from Ward 14 (Coun. Ruby) if he does not want the ire of those whose ire I have recently felt, sir, that he had better be cautious about attacking those who hark in the sunshine of the administration. Mr. Biggs is a favored person in this city in connection with the administration, but he has no friends. Biggs can leave barrels on any street in Dorchester, Biggs can insult any person who would call him up to even ask about the carrying out of the contract. But don't you cast any criticism on Biggs, because this gentleman within two weeks, as I say, has been given one of those delicious plums, so that still the unseen hand of Biggs appears, and he is a favorite of the administration. As one who has had some experience with Mr. Biggs, I want to warn my young colleague who sits next to me to be careful. If you want any patronage in the next two years, be careful, because Biggs bears a charmed life and those who oppose anything he may do come to harm, sir.

Coun. WILSON—Mr. President, I am very glad to see the gentleman from Ward 14 (Coun. Ruby) get aboard or off the wagon, as the case may be, and I would suggest as a possible solution of the Biggs difficulty that we get from the proper department a copy of the contract and that we also have a representative of the Board of Health here in this matter. I cannot believe that the contract is written so that this man, as he is apparently doing, can absolutely lie down on the contract for collection of ashes and refuse in Dorchester during the month of December, as in the month of November, merely because some other gentleman has the contract for next year. It seems to me if there is a penalty attached to the contract such as any competent law officer would see was put into the contract, this man can be sued for damages for not properly fulfilling the provisions of the contract in collecting ashes and garbage in that district. If this man or any other man in Dorchester or Roxbury allows receptacles for garbage or ashes to remain exposed in the public streets or even in the yards for forty-eight hours, the Board of Health can serve notice upon him and summons him into court and fine him. It seems to me the City of Boston would be put in a ridiculous position in allowing a contractor, under such circumstances, to violate his contract and to violate the health laws of the City of Boston, and that if even there is no provision in the contract, as there should be, the Board of Health of the City of Boston might at least snap out of it and relieve the situation.

Coun. GUILD—Mr. President, I think we will probably all agree that open sunlight is one of the best disinfectants known to man and, having in mind, what Coun. Wilson has just said, it occurs



to me to humbly suggest to the councilor who introduced the order that it would be wholesome to have the order referred to the Executive Committee, where the direct rays of the sun can be brought upon the situation through such an examination as Coun. Wilson suggests, rather than by pressing at this time his motion to suspend the rules.

Coun. RUBY—Mr. President, I want to thank my colleague on the left (Coun. McGrath) for having given to me what I think is very honest and sincere advice, but I want to say that the reason why I have never interfered with the so-called Biggs contract is because in the very, very few occasions that required my calling attention to the way in which the contract was being carried out, I was always able to get immediate satisfaction from the concern. But when an entire constituency make it their business throughout an entire Sunday to call the attention of their councilor to a condition of this sort, I believe it is the duty of the councilor to do what he can to try to remedy the condition in the future. I am not worried, Mr. President, when I introduce an order in the Council as to whose toes I may step on when I am sincere in the introduction of that order, as I am in this case. I do not believe that the ire of anyone will fall on the councilor from Ward 14. I have introduced this order because I want to see in my district as well as in the entire Dorchester section, proper removal of ashes and garbage for the balance of the term of the Biggs Company's contract. That is something that we are entitled to. I am, however, going to accept the suggestion of the councilor from Ward 19 (Coun. Guild) by asking that the order be referred to the Executive Committee.

The order was referred to the Executive Committee.

#### ANNUITY TO WIDOW OF JAMES GAVAGAN.

Coun. LYNCH offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of James Gavagan, late lieutenant of the Boston Fire Department, who died from injuries received in the performance of his duty, such annuity to continue so long as said widow remains unmarried, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Referred to the Executive Committee.

#### RECESS.

On motion of Coun. GILBODY the Council voted at 2.34 p. m. to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by Chairman DOWLING at 4.15 p. m.

#### LAYING OUT OF TREMONT STREET.

Chairman DOWLING called up, under unfinished business, No. 13 on the calendar, viz.:

13. Ordered, That the sum of \$180,000 be and the same hereby is appropriated to be expended by the Board of Street Commissioners for the laying out, widening and construction of Tremont street, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On November 28, 1927, the foregoing order was read once and passed, yeas 19, nays 1.

The order was given its second reading and passage, yeas 15, nay—Coun. McGrath—1.

#### CENTRAL LIBRARY IMPROVEMENTS.

Chairman DOWLING called up under unfinished business No. 14 on the calendar, viz.:

14. Ordered, That the sum of \$250,000 be and the same is hereby appropriated to be expended by the Trustees of the Public Library for the Central Library Building, fireproofing, improvements, etc., and that to meet said appropriation the City Treasurer be authorized to issue, from

time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city for said amount.

On November 28, 1927, the foregoing order was read once and passed, yeas 20, nays 0.

The order was given its second and final reading and passage, yeas 16, nays 0.

#### EXECUTIVE REPORTS.

Coun. GILBODY for the Executive Committee submitted the following:

1. Report on order (referred today) that his Honor the Mayor be requested to cancel at once the contract with the D. M. Biggs Company for collection of ashes and garbage in the Dorchester district, and to direct the bonding company to enter the said district and proceed to perform the duties specified in the said contract—that the same ought to pass.

2. Report on order (submitted by the Mayor and referred today) that the sum of \$85,000 be appropriated to be expended under the direction of the Commissioner of Public Works for Columbus Avenue Bridge, etc.—that the same ought to pass.

Report accepted; said order read once and passed, yeas 15, nays 0.

Assigned for fourteen days for final action.

3. Report on order (submitted by the Mayor and referred today) that for a period of ninety days from the date of the passage of this order all dogs within the limits of the City of Boston shall be restrained from running at large,—that the same ought to pass.

Report accepted; said order passed.

#### REPAIR OF NO. 33 BEACON STREET.

Coun. GILBODY, for the Committee on Parkman Fund, submitted a report on the order (submitted by the Mayor and referred November 28), appropriating \$50,000 from the George F. Parkman Fund, to be expended under the direction of the Park Department for the repair and reconstruction of 33 Beacon street—that the same ought to pass.

Report accepted; said order passed, yeas 15, nays 0.

#### COMMITTEE ON FINANCE.

Coun. GREENE, for the Committee on Finance, submitted report as follows:

1. Report on communication from the Mayor and order (referred December 5) appropriating \$25,000 for extension and development of Mount Hope Cemetery—that same ought to pass.

Report accepted; said order given its first reading and passage, yeas 15, nays 0.

Assigned for fourteen days for final action.

2. Report on order (referred December 5) that \$12,000 be appropriated to be spent under direction of Park Department for construction of field house on Francis Parkman Playground, Wachusett street, Ward 19—that same ought to pass.

The report of the committee was accepted.

Coun. GUILD—Mr. President, I move that the order be laid on the table.

Coun. BUSH—Mr. President, might I ask the Councilor what his reasons are for laying this on the table?

Coun. GUILD—Yes,—that there are not enough members present in any event to pass the order.

The order was laid on the table.

#### PLANS FOR BLEACHERS IN FENS.

Coun. WARD offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to submit to the Executive Committee of the City Council the plans laid out by Mr. Shurtleff in 1925 for the extension of the bleachers on the schoolboy playground in the Fens.

Passed under suspension of the rule.

#### WATER MAIN, FOREST HILLS.

Coun. GUILD offered the following:

Ordered, That his Honor the Mayor be requested to provide sufficient money in the budget



for the year 1928 to purchase an easement in land belonging to the Trustees of the Forest Hills Cemetery for laying a water main connecting the ends of the mains now located in Woodland avenue and Tower street.

Coun. GUILD—Mr. President, some weeks ago there was a disastrous fire that occurred by which six three-family houses were burned in the territory between the two streets named in this order. Ten minutes after the fire started they got a line of water playing on the houses, and twenty-two minutes after the alarm was sounded the stream of water they could get only reached the second floor. The Fire Department reported to Commissioner Hultman that the reason they were unable to get a stream of water to play on the third floor of the houses was that the mains in the streets came to a dead end. The Department of Public Works has reported that that could be corrected, if permission could be obtained from the trustees of the cemetery, to connect the two water mains by getting an easement which would allow that to be done, through some of the cemetery land. They had previously been unable to get that permission from the trustees of Forest Hills Cemetery, to enter on the land that they own, but I think within the past week such permission has been obtained, in the event that the city will agree with them as to the damages which they are entitled to receive therefor. I therefore introduce the order at this time in order that the serious fire hazard that exists in that neighborhood may be averted in the future. I move suspension of the rule and passage of the order.

The order was passed under suspension of the rule.

#### SALE OF LAND, CHARLESTOWN.

On motion of Coun. McGRATH, the Council took up, under unfinished business, No. 16, on the calendar, viz.:

16. Ordered, That his Honor the Mayor be and he hereby is authorized in the name and behalf of the city to sell at public auction at an upset price of forty-seven hundred dollars all the right, title and interest of the City of Boston in and to a parcel of land situated on the northeasterly side of Main street in Charlestown, in said Boston, and containing 2,367 square feet of land, more or less, and to execute and deliver a deed of the same to the purchaser in form satisfactory to the Law Department. Said land is bounded and described as follows:

Southwesterly by the northeasterly line of Main street, thirty-two and 71-100 (32.71) feet; northwesterly by land of the City of Boston, one hundred forty-four and 76-100 (144.76) feet, and southwesterly by land supposed to belong to W. F. Schrafft & Sons Corporation, one hundred forty-four and 76-100 (144.76) feet; containing 2,367 square feet of land, more or less.

On November 28, 1927, the foregoing order was read once and passed, yeas 20, nays 0.

The order was given its second and final reading and passage, yeas 15, nays 0.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Chairman DOWLING called up, under unfinished business, No. 1 on the calendar

1. Action on appointments submitted by the Mayor December 5, 1927, of John J. Kirby, John H. Chute and Ralph L. Chute, to be Weighers of Coal.

The question came on confirmation of the appointments. Committee—Coun. Donovan and Guild. Whole number of ballots 16, yeas 16, and the appointments were confirmed.

#### COMMITTEE TO ATTEND HON. NATHAN MATTHEWS' FUNERAL.

Coun. WARD offered the following:

Ordered, That a committee of five members of the Boston City Council be appointed to represent the City Council at the funeral of the late Hon. Nathan Matthews.

The order was passed under suspension of the rule, and Coun. Gilbody, Fitzgerald, Dowd, Wragg and Guild were appointed said committee.

#### GENERAL RECONSIDERATION REFUSED.

On motion of Coun. WILSON, a general reconsideration of all action taken today was refused.

#### CENTRAL GARAGE FOR AUTOMOBILE STORAGE, ETC.

Coun. KEENE offered the following:

Ordered, That his Honor the Mayor consider the advisability of providing for the erection of a centrally located municipal garage for the storage and repair of automobiles belonging to the various city departments.

Coun. KEENE—Mr. President, I have spent some time in the study of the question of storage and repair of cars of our various city departments, and I feel quite sure that there is not a business concern in this city which might be situated as we are that would not, in the interest of efficiency, adopt some method of handling the situation. I feel that the time has arrived and that it is in the line of the new economy, to look carefully into this question. Therefore, I move a suspension of the rule and the passage of the order.

The order was passed under suspension of the rule.

Adjourned at 4.32 p. m., on motion of Coun. GREEN, to meet on Monday, December 19, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, December 19, 1927.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., Coun. DOWLING, senior member, presiding. Absent, Coun. Freely and Mahoney.

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the following appointments were submitted by the Mayor:

Weigher of Goods: Joseph G. Herrick, 522 Saratoga street, East Boston.

Weighers of Coal: Isaac Santis, 141-151 Cummings street; Philip B. Smith, 141-151 Cummings street; J. C. Santis, 141-151 Cummings street (renewal).

Constables: Joseph Rice, 1399 Commonwealth avenue; Julius Richmond, 121 Ellington street, Dorchester.

Severally laid over a week under the rule.

## VETO OF LASKY ANNUITY.

The following was received:

City of Boston,  
Office of the Mayor, December 13, 1927.  
To the City Council.

Gentlemen,—I return herewith without my approval the order of the City Council under date of November 28, 1927, providing that an annuity of \$600 be allowed and paid the widow of Frank H. Laskey, late member of the Fire Department.

My reason for not signing this order is contained in the accompanying opinion of the Corporation Counsel, who says that the beneficiary named in your order is not legally entitled to an annuity.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Law Department,  
December 9, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—You have asked to be advised whether you have the legal right to approve the following order passed by the City Council on November 28, 1927:

"Ordered, That an annuity of six hundred dollars be allowed and paid to the widow of Frank H. Laskey, late member of the Boston Fire Department, who died from injuries received in the performance of his duty, such annuity to continue so long as said widow remains unmarried and to be charged to the appropriation for Fire Department, Pensions and Annuities."

The provisions of law which authorize the city to pay an annuity to the widow of a deceased member of the Fire Department are contained in section 2 of chapter 107 of the Acts of 1880, as amended by chapter 93 of the Special Acts of 1919 and chapter 62 of the Acts of 1920. The two amending statutes merely change the amount that may be granted by the city government.

Section 2 of chapter 107 of the Acts of 1880 is as follows:

"If any member of the said fire department shall die from injuries received while in the discharge of his duties, and shall leave a widow, or, if no widow, any child or children under the age of sixteen years, a sum not exceeding three hundred dollars may be paid by way of annuity to such widow so long as she remains unmarried, or to any such child or children so long as he or they continue under the age of sixteen years, and the board of fire commissioners may from time to time order such annuity to be reduced."

Your Honor will observe that one of the requisites of this provision of law is that the "member

of the said fire department shall die from injuries received while in the discharge of his duties." Before, therefore, the widow of a deceased fireman may receive an annuity it must be established that the fireman died from injuries received in the performance of his duties.

In the present case the medical examiner of the Fire Department reported that he was in receipt of a medical certificate signed by Doctor Buckley, Associate Medical Examiner for Suffolk County, stating that Laskey had died "from acute cardiac failure, chronic cardiac (months), collapsed and died suddenly while a visitor at Deer Island." Doctor McNally, medical examiner of the Fire Department, also reported that Engineer Laskey had been ill with la grippe and pharyngitis. Doctor McNally makes a finding that no injury was a remote or recent factor in the causation of Laskey's death. From Doctor McNally's report it is quite evident that Laskey did not die from injuries received in the performance of his duties.

The evidence submitted at the hearing before the committee of the City Council in charge of this matter indicated that Laskey had received a wetting at a fire on the tenth of April, 1927. I have carefully examined the record of the testimony submitted to the committee of the City Council and find nothing there which permits me to arrive at the conclusion that Engineer Laskey received an injury while in the performance of his duties.

In my opinion section 2 of chapter 107 of the Acts of 1880, as amended, does not apply when the member of the Fire Department dies as a result of a disease and must be confined to cases where death follows as the result of injuries received. A similar ruling was made in construing this statute by several of my predecessors in office; by the late Thomas M. Babson on December 20, 1909; by Judge Joseph J. Corbett on July 29, 1912; and by E. Mark Sullivan on April 11, 1924, in connection with an order of the City Council awarding an annuity to the widow of former Chief John Grady.

Mr. Babson in his opinion to the Fire Commissioner, Samuel D. Parker, said in part,

"The statute under which this pension or annuity is granted does not apply to the widows of persons who died of disease contracted in the discharge of their duties as firemen, but only to widows of persons who received physical injury which resulted in some way in their death."

Mr. Babson ruled in the particular case before him for consideration that the widow of a fireman who died of pneumonia occasioned by getting wet at a fire was not entitled to receive an annuity.

Judge Corbett in his opinion stated in part,

"In an effort to provide relief for employees incapacitated by disease, the door would be opened wide to claims of a highly flimsy and litigious character. It is largely a matter of proof. Where there is a change in the physical structure, it is generally possible to show the fact that it occurred in the course of the employment which produced it. Where there is a disease it depends on the statements of the employee and his physician. The question of fact that it was caused by the employment is rarely without doubt."

See, also, opinion of former Corporation Counsel E. Mark Sullivan, addressed to the Honorable James M. Curley, Mayor, rendered on December 11, 1924, advising his Honor the Mayor that the widow of Alexander F. Smith, former member of the Fire Department, was not entitled to receive an annuity. In that case the medical examiner reported that the fireman died from "a systemic toxic condition which was the result of debility following his injuries and the cause of degenerative changes in his kidneys." The medical examiner further reported in that case that the fireman was subject to wettings, severe cold weather, or extreme heat, which might have affected his condition. It was held that any injury which might have occurred to the fireman was not the proximate, direct or sole cause of his death but that the fireman had died from disease.

I advise your Honor, therefore, that in the instant case the widow of former Engineer Laskey is not legally entitled to annuity and that you have no legal right to approve the order of the City Council granting the annuity.

Yours very truly,

FRANK S. DELAND,  
Corporation Counsel.

Placed on file.



**BUS SERVICE, COLUMBUS AVENUE.**

The following was received:

City of Boston,  
Office of the Mayor, December 13, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the General Manager of the Boston Elevated Railway, in reply to your order of November 28, 1927, relative to bus service on Columbus avenue.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Boston Elevated Railway,  
Office of Public Trustees.

December 9, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor—Replying to your letter of December 5, containing copy of order passed by the Boston City Council relative to bus service on Columbus avenue, beg to advise that the Columbus avenue bus service was started on Saturday, December 3.

Very truly yours,  
EDWARD DANA, General Manager.

Placed on file.

**PETITIONS RECEIVED.**

The following petitions were received and severally referred to the committees named, viz.:

**Claims.**

Annie Belson, for compensation for loss of money taken from clothing at City Hospital.

F. A. Brewer Company, for compensation for damage to property at 212 Summer street, caused by backing up of sewage.

Mary A. Carroll, for compensation for injuries caused by an alleged defect in South Huntington avenue.

Thomas J. and William J. Durken, for compensation for injuries and damage to automobile by City Hospital ambulance.

William Fox, for compensation for damage to automobiles by city truck.

Mrs. R. E. Fraser, for compensation for loss of clothing at Mattapan Sanatorium.

Raffaele LaPrete, for compensation for injuries caused by an alleged defect at 63A Green street, Boston.

William D. MacPherson, for compensation for damage to automobile by fire apparatus.

Morris Margolis, for compensation for damage to truck by city truck.

Mary Shea, for compensation for damage to automobile caused by an alleged defect in North Beacon street.

Martha Simonds, for refund on street license.

John F. Vahey, for compensation for damage to automobile caused by an alleged defect at 121 Mountfort street.

**Executive.**

Petition of Marie Pentz, for children to appear at Girls' High School, December 17.

**Unclaimed Baggage.**

Petition of Boston and Maine Railroad to sell at public auction unclaimed baggage.

**SEA WALL IN MYSTIC RIVER.**

Notice was received from the Department of Public Works, State House, of hearing to be held on petition of Boston and Maine Railroad for license to build a sea wall and to fill in solid a dock, in Mystic river.

Placed on file.

**STORAGE AND SALE OF GASOLENE.**

Notice was received from the Street Laying-Out Department of hearings to be held on petitions for storage and sale of gasoline as follows:

December 27.

Morris E. Hatoff, 3768-3780 Washington street, Ward 19, 2,000 gallons.

Jenney Manufacturing Company, 802 Adams street, Ward 16, 1,000 gallons.

Jenney Manufacturing Company, 1569 Blue Hill avenue, Ward 18, 1,000 gallons.

Jenney Manufacturing Company, 325 Cambridge street, Ward 3, 2,000 gallons.

Jenney Manufacturing Company, 2022 Commonwealth avenue, Ward 21, 2,000 gallons.

Jenney Manufacturing Company, 911 Massachusetts avenue, Ward 8, 3,000 gallons.

Jenney Manufacturing Company, 65 Providence street, Ward 5, 1,000 gallons.

Jenney Manufacturing Company, 285 Washington street, Ward 3, 1,000 gallons.

Daniel J. Kiley, 60 Rutherford avenue, Ward 1, 1,000 gallons.

Barney Sheehan, 48 Babson street, Ward 18, 1,000 gallons.

January 3, 1928.

James T. Beckwith, 711 Columbia road, Ward 7, 2,000 gallons.

Boylston Street Land Company, 1286 Boylston street, Ward 5, 3,000 gallons.

Referred to the Executive Committee.

**CONSTABLES' BONDS.**

The constables' bonds of Hyman Rossman and William E. Castaldo, having been approved by the City Treasurer, were received and approved.

**WIDENING OF SEAVER STREET.**

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to include in their budget for 1928 a sum sufficient to provide for the widening of Seaver street from Blue Hill avenue to Columbia road, Ward 14, to the same width as that of Seaver street from Blue Hill avenue to Eggleston square.

Coun. RUBY—Mr. President, my reason for presenting this order today is because of the fact that the street at that point is about 15 or 16 feet wide and is considered by the Building Commissioner, as well as by the police captain of that particular division as one of the worst places in Dorchester from the standpoint of automobile hazard. There is a large tract of land there now, formerly occupied by the Cullis Hospital, which has lately been vacated, and the land today can, as I understand it, be purchased, so that the widening would not entail the taking of many buildings. I would suggest that the order be passed under suspension of the rule.

The order was passed under suspension of the rule.

**LIGHT IN WARD 18.**

Coun. WRAGG offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an incandescent light at the junction of Woodland road, River and Tileston streets, Ward 18.

Passed under suspension of the rule.

**POLICY OF OVERSEERS OF PUBLIC WELFARE.**

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to conduct an investigation of the policy of the Overseers of the Public Welfare in its treatment of men who are out of employment and are working in the city woodyard, with a view to correcting the unjust conditions now prevailing.

Coun. DOWD—Mr. President, in presenting this order I will simply say that I do so as a last resort, to get a little action from the Board of Overseers. During the past year we have appropriated \$1,830,000 for that department. We have never questioned the policies of the overseers of the department with respect to the charity work they have done. But at this time of year, when every newspaper, every organization, every public spirited citizen of Boston, is doing the utmost to take care of those a little less fortunate than some of the rest of us may happen to be, it does seem as though it was a time for the Board of Overseers to

take drastic action to help and relieve unfortunates, and not to put a greater burden on them. For the first ten months of the year a man who was unfortunate enough to have to go to the wood-yard to work could work, say five or six days in the week and get \$16 or \$17. Under the present rule a man who goes into the woodyard works, say three days a week and at the expiration of three days gets a \$4 or \$5 grocery order. How can a man maintain a family, his wife, himself and children on a grocery order of \$4 a week? They tell men to go out and get a position. Every member of the Council knows that it is absolutely impossible to get positions for men out of employment at the present time. I do not believe his Honor the Mayor is aware of the fact that the overseers have taken this drastic action. Personally, I certainly believe instead of increasing the burden on those poor unfortunates who have to go to the woodyard, we should like to lessen it, especially at this time of year and at such a time as this. I do not like, a week before Christmas, to feel obliged to ask the Mayor to conduct an investigation of this kind, but I believe the action that is being taken by the department is absolutely unfair and against the intention of the act, and I believe it is also against the intention of this Council when it voted to give the \$1,830,000 to the Board, to be spent for the relief of those in our city who needed such assistance. I have appealed to the secretary in the matter, in regard to this action of the Board in only giving grocery orders. The only argument they can give you is that there are a few men who have been on the roll for a considerable time whom they feel they should get rid of. Well, if that is so, why not get rid of them? Why make the unfortunates who are dealing with the department at the present time suffer? And, after all, in a family it is not so much the man as the woman and the children at home who suffer. Nobody can take care of a family with a \$5 grocery order. You cannot get money that will enable you to pay rent, unless you get an eviction order from the landlord. They tell you that in such an emergency they will act, but in my opinion you may be dying before they will act. I have had some experience with people in my district in this matter. I have received a dozen letters in the last few days from men with families, with five, six or seven children, who have appealed to the Overseers and could only get a grocery order. And yet we here in this Council have voted to appropriate \$1,800,000 for this department, and we have never refused when they needed money to give them \$100,000 more, or whatever the amount might be. I believe it is time that the Mayor took action in this matter and remedied the situation, particularly in Christmas season.

Coun. McMAHON—Mr. President, speaking to Coun. Dowd's order, I would like to tell the Council about a few interesting cases that I have had in connection with the same department. There is one man in my ward, with six children, who worked down in the wood yard for three weeks, and they gave him \$12 in cash and a \$4 grocery order. Imagine, Mr. President, six children and the father and mother living on \$12 cash and \$4 grocery order for three weeks, as the result of working three or four days each week in the woodyard. Certainly they cannot claim that that is charity, if you work three or four days in the week for three weeks and get only \$12 in cash and \$4 in grocery orders. And that man had to go through three weeks, with his wife and six children depending on him, to get his \$12 cash and his \$4 grocery order. I called them up and asked about it and was told that a man who worked there was entitled only to a \$4 or \$5 grocery order. Then, there was a case in which I interested myself a few months ago in my district. I had a personal talk with the investigator three months ago, and he told me he would go out and see an old woman went there from the department. I got the whole story, finding out that no word had been received from the department in regard to the matter. I wrote two or three times and tried to get an appointment, because this was a case in my district. But it seemed impossible to be able to do it. I wrote to make a date when I would be able to go along and bring conditions to the attention of the department in that way. But I have been unsuccessful. So I say now, if what should be done there is not being done, his Honor the Mayor should do it, should see that conditions there are straight-

ened out in this respect. If you go to the Overseers of the Poor you will find a father there, a son there, the son's wife and sister working there, four in one family working for the Overseers of the Poor. But if a number of people such as we know in our districts want to get a week's pay there they cannot do it. I think it is time to start in on the Overseers of the Public Welfare when they won't give to the poor unfortunates enough to live on, parents and children. When they have one family that has four people working there, and still we are told that money for the poor people in different parts of our city is not available, for people who really need it, especially at this time of year, certainly something is wrong. I hope the order will take effect, and I am very glad that the councilor has put it in.

The order was read for the information of Coun. Fitzgerald.

Coun. FITZGERALD—Mr. President, I don't think we ought to wait for an investigation by the Mayor. I think we ought to have the City Messenger get in touch with Mr. Heller, the chairman, having him come to our executive meeting this afternoon. A deplorable condition exists in that department. I have had a good many complaints in my own district, and what has been said by the other speakers is absolutely true. The department has assumed a very high handed attitude. That has been so in reference to cases that I have had, worthy cases. I do not go to them unless the case is a worthy one. I always figure on the matter of whether they have money in the bank, whether folks at home are working, whether there are means in the family, and I know the facts pretty well through investigation before I interest myself further in the matter. There is no politics with me in these matters, none of the "good fellow" business. I know them. Unless they are married I don't go there, because I believe that only meritorious cases should be helped. They have a system down there that ought to be changed. Prior to the World War things were different. At the present time, under the so-called social service' régime, they have schools conducted by high-toned reformers who must find positions for those who are turned out, and positions are promised through civil service regulations. The result is that this meddlesome gang are put into the job and they go around to the homes and do things that are absolutely unwarranted. As the councilor from Dorchester has stated, there are married women there drawing salaries, with their husbands also employed there and salaried, and the attention is not given that should be given to poor people with little children, starving, families who cannot get enough to eat. How can such department, with the unemployment situation as it is today, fail in its duty in matters of this kind? We all know how the civil service rules tie things up, that there are plenty of men looking for work and who get on the civil service lists perhaps with the hope of being employed temporarily, but that there must of necessity be more or less delay in their getting even such employment, that it will sometimes be weeks before they get an opportunity to do any work whatever. So many must depend on immediate assistance through a department such as the Public Welfare. I do not believe any city in the entire country handles the unemployment situation so badly as Boston. These overseers ought to be brought to time and told a thing or two. Don't wait a week or ten days. Christmas will be upon us in a few days, and many are starving and may die of want. Have the chairman brought down here where we can talk to him, this afternoon, also have the secretary come here. Other things are not so important. This is the time and the place, and we should have an investigation of the situation. We find people who go there advised to leave their homes, to go away from territory where they have lived for years, where they have their friends, people on whom they could depend to a certain extent to render them some assistance in case of emergency. And still they are simply told to move to parts unknown, to new localities. And that is the attitude of these people, who do nothing unless perhaps as a political favor, and you would think from their attitude that they own the world. If you look back into the history of some of them, perhaps you would find that they in the past had been as unfortunate in their family life as some of those they are now turning down. Yes, Mr. President, this matter should be looked into. I favor the passage of the order and believe that some of the representatives of the Overseers of the Poor should be brought down here. They can be reached very shortly, and we can have a talk with



them, face to face. If they were looking for an appropriation you would find them ringing our doorbells and pulling and hauling back and forth, calling up on the telephone and sending somebody down here to intercede for them. But they cater to people to make themselves good fellows, and then don't know whether these same people would do anything for them or not. That sort of thing is all buncombe. Bring Mr. Heller in here, and bring Mr. McCarthy, the secretary, here, and I would like to have Mrs. Leahy brought down, also, as the one in charge of the district I represent. I would like to find out how she lines up in some of these matters, having in mind some things in my district.

Coun. BUSH—Mr. President, I have listened with interest to the debate on this order, and I refuse personally to get excited about it. There is no doubt in my mind that there may be some injustice done in isolated cases, but it is my personal view that the Board of Overseers of the Public Welfare are trying to do a hard job to the best of their ability. They have investigators whom they send to investigate the different cases that come before them, and I believe they attempt to handle such cases properly and reasonably and to the best of their ability.

Coun. FITZGERALD—Mr. President, I would like to ask the gentleman a question. Do you think it is fair to give a grocery order of \$5 a week to a man working in the woodyard? Do you think that is fair compensation, when they are selling that wood all over the city, to give a man simply a grocery order of \$4 or \$5 a week, in accordance with what has been stated here?

Mr. BUSH—Mr. President, I will answer that in a few moments. It is reasonable to suppose that in the administration of a sum of \$1,800,000 for poor unfortunates, so called, through the city, there must be a large number of fraudulent claims. By "fraudulent claims" I don't mean that they are entirely of that character, by any means, but certainly if the claimants of aid have funds in savings banks or are the owners of property, either in their own name or in straw names, they should not receive such aid. The aid is not intended for such persons. It is intended, as I understand it, for those persons who are down to their last resources, who, in fact, have no resources, who have been out of employment, and who have no money for food, lodging or rent. People who have savings accounts or who have some other resources are not intended to be included in the scope of this sort of work. It is not intended for them, is not for the purpose of aiding them. Naturally it becomes necessary for the Board in administering this fund to make very certain that the aid it gives should go to people who deserve it, under the act. If they fail to do that, they are wasting the city's money, and are not merely wasting the city's money, but are wasting it in a manner which will prevent others more unfortunate, who are deserving of aid, from obtaining it because of lack of funds. The councilor who spoke previously may be correct in his accusations. Personally, I don't see how he can be possessed of sufficient information, however, upon which to make those accusations. I don't see how anybody who is not a member of the Board or one of the employees of the Board can be familiar with the routine and the detail which they have to go through before they give such aid as is supplied by that department, and the amount of judgment that has to be exercised in passing upon cases that come before the department. I think his suggestion that the chairman of the Board of Overseers be called in here to be questioned about these matters is a good one. I agree with him that that ought to be done, and that any complaints that ought to be made ought to be made to the chairman personally. But I think we ought not to act hastily and make accusations on the floor of the Council Chamber against a Board that is in all likelihood carrying out its duties to the best of its ability, and carrying them out well. As to the matter of working in the woodyard, the chairman of the Board of Overseers told me some time ago that when people applied to him for aid the Board felt that, rather than make those people feel that they were accepting charity—which, after all, is repugnant to a great many people—they would be given an opportunity to do a little work in the woodyard in order that they might feel that they were giving some service in return for what they received, not feeling that they were mere pensioners or almoners, receiving alms at

the hands of the city; that there was no intention on the part of the Board to force these men to work, that they did not request them to work any specific number of hours, but merely requested them to come in and do a little work in the woodyard which, of course, they could easily do, without having the possible stigma of being pensioners or almoners attached to them. It was merely done to prevent the men receiving aid from feeling that they were getting charity. They want them to maintain their self-respect and feel that they are giving some service for what they are getting.

Coun. McMAHON—Mr. President, I don't know whether the last speaker, the councilor from Roxbury, has had any experience with the Public Welfare Department. I personally think they have a dandy board down there. But the Board does not know what is going on. If you ask them about cases they will tell you that the investigator is supreme in the Welfare Department, that whatever the investigator says goes. When you speak to Mr. McCarthy, the secretary, for instance, and tell him about a case, he will say that it is in the hands of such and such an investigator, simply looking it up in the book. I have had cases in my experience that I might speak about. You have already heard about the family of four that is employed down there, working down there today. If you go to see about a case, you speak to Mr. McCarthy, and he will refer to what an investigator has told him, Mr. McCarthy in turn telling the Board. Every time I go there I get some satisfaction out of the Board, but I don't feel that in every case I can go down there and talk to the Board. Coun. Fitzgerald says that he wants the chairman and the secretary and also the investigator in his district to come up here, to our executive committee meeting, and I think the councilor from Roxbury, if he wants to take care of the welfare of the people of his district, should feel the same way. I think he would if he had had the same experience that some of us have had. I realize the difficulty that this Board has in handling the matters that come before it, and I believe we should have them come here and tell us just what the situation is. But I would like to have worthy cases get what is coming to them.

Coun. WARD—Mr. President, I would like to ask one question. Perhaps the gentleman from Ward 12 can answer it, and perhaps he cannot. Are you aware, or do you know, that a child going to school whose mother receives aid from the Overseers of the Public Welfare, is compelled to leave school if the parent is receiving aid, thus depriving a poor family in this city of the right to have its children educated?

Coun. BUSH—Before answering the question, Mr. President, I would like to ask the councilor another question,—if that does not depend on the age of the children going to school?

Coun. WARD—Yes, it does, Mr. President, but the age is sixteen.

Coun. BUSH—I understand that there is a statute which governs that enacted by the Legislature and that the Overseers of the Public Welfare are compelled to follow the statute in that respect.

Coun. RUBY—Mr. President, if there is no objection on the part of the councilor from Ward 8, who introduced the order, may I ask that it be referred to the Executive Committee, and that the chairman of the Overseers of Public Welfare, as well as the secretary, Mr. McCarthy, be requested to appear before the Executive Committee at our session this afternoon.

The order was referred to the Executive Committee.

#### SUFFOLK JAIL IMPROVEMENTS.

Chairman DOWLING called up, under unfinished business, No. 1 on the calendar, viz.:

1. Ordered, That the sum of \$100,000 be and the same hereby is appropriated for County of Suffolk, Jail Improvements, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue, from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On December 5, 1927, the foregoing order was read once and passed, yeas 17, nays 0.

The order was given its second and final reading and passage, yeas 16, nays 0.



## COST OF EXTENDING SYDNEY STREET.

Coun. McGRATH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to inform the City Council as to the approximate cost of extending Sydney street, Dorchester, over the route of the proposed Shoreham street as far as Mt. Vernon street.

Coun. McGRATH—Mr. President; I might say just a word on this order. Since the new Dorchester rapid transit has gone into effect, the first station beyond Andrew Square is a station known as Columbia. That station is not used to full capacity, because it is more or less isolated from where the people really live. Between the end of Sydney street and the junction with Crescent avenue, where the old station of the New Haven line was, and the new place there is a vacant piece of land that people walk over, although they have no right to walk over it. I understand that a building is to be constructed on that land which will force people almost up to Dorchester avenue and Carson street to get back to the road. Within the last week, on this land, which is privately owned and is dark, four holdups have occurred, and two plain clothes men have been delegated from Station 11 to prevent holdups on this property. I introduced an order here for an entrance from Sydney street and Crescent avenue, to take care of the people in that section, so they would not have to go a third of a mile out of their way, and then come back, but the answer came back from the Transit Board that under their powers which are well defined by the Legislature they could not do that. So the only alternative left is the continuation of this street over this land. Where the building is about to be built there is a street known as Shoreham street, with the sewer already in, and at a very nominal cost the city could continue Sydney street, which runs from Savin Hill through to Crescent avenue. This proposed extension would bring the street out to Mt. Vernon street, at a grade below Columbia road. Of course, Columbia road goes over the railroad and comes down there at a somewhat higher grade. By extending Sydney street you could then by stairs have people go up to the grade of Columbia road and thence go to the new station, which has a central platform. This would be a great convenience to people of that section who wish to go to the station, and certainly should be carried through if the station is to be used to 100 per cent efficiency. This is apparently the only solution of the matter since the decision of the Transit Board that they are unable to do it in a proper manner.

The order was passed.

## SEWERAGE EASEMENT IN SOUTH BOSTON.

Coun. LYNCH called up under unfinished business No. 13 on the calendar, viz.:

13. Ordered, That his Honor the Mayor be and he hereby is authorized and empowered in the name and behalf of the City of Boston for the sum of one dollar, and in form satisfactory to the Law Department, to execute and deliver to the Hedge & Matthies Company, owner of a certain parcel of land situate in that part of Boston called South Boston, and numbered 285 on Dorchester avenue, over a certain portion of the aforesaid parcel of land, which was taken by an order passed by the Board of Aldermen of the City of Boston and approved by the Mayor of said City of Boston, July 2, 1896. The plan of the proposed structure and its position relative to the land taken for sewerage purposes are shown on a plan drawn by F. Leroy Fox, Inc., Boston, dated July 21, 1927, and approved by the Commissioner of Public Works of the City of Boston, reserving to the City of Boston without any liability for damages therefor the right by its officers, agents or contractors, at any and all times, to enter upon said land taken for sewerage purposes as above stated, to repair and maintain said sewerage works now therein, and to construct such new works as the said Commissioner of Public Works may from time to time deem proper.

On November 28, 1927, the foregoing order was read once and passed, yeas 19, nays 1.

The order was given its second and final reading and passage, yeas 17, nays 0.

## RECESS.

On motion of Coun. BUSH, the Council took a recess subject to the call of the Chair, at 2.52 p. m. The members reassembled in the Council Chamber and were called to order by Chairman DOWLING at 4.33 p. m.

## EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for the Executive Committee, submitted the following!

1. Report on petition of Marie Pentz (referred today) for children under fifteen years of age to appear at Girls' High School, December 17—that leave be granted on usual conditions.

Report accepted: leave granted on usual conditions.

2. Report on order (submitted by the Mayor and referred December 12) appropriating \$56,044.62 from the income of the Parkman Fund to be expended under the direction of the Park Commission, for the maintenance and improvement of the Common and parks in existence on January 12, 1887, for Fens, Improvements—that the same ought to pass.

The report was accepted, and the question came on the passage of the order.

Coun. PARKMAN—Mr. President, the terms of the Parkman will, dated January 12, 1887, I have in my hand here, and the clause in the codicil which applies to the use of the Parkman Fund income reads as follows:

"I devise said residue to the city of Boston to constitute a fund, the income of which is to be applied to the maintenance and improvement of the Common and the parks now existing and is not to be used for the purchase of additional land for park purposes."

"The income of which is to be applied to the maintenance and improvement of the Common and the parks now existing."

There is no mention of playgrounds. There are two questions arising which, it seems to me, require discussion before a vote shall be had in this matter. One relates to the use of the word "improvement" and the other relates to the use of the words "park purposes." For a proper determination of the second clause it is necessary to go back and try to reconstruct what was in the mind of the testator who devised this fund to the City of Boston for specific purposes which he is entitled to have followed. The report on the Parkman Fund, made in 1921, was a report of a special committee of highly qualified men—landscape architects, lawyers, and men representing various sections of the community. That report states:

"Another and more difficult question of interpretation turns on the meaning in Mr. Parkman's will of the word 'parks.' What kind of public areas did he mean to include in the phrase 'the Common and the parks now existing?' Without doubt he meant it to apply to all areas like the larger parks then being created and the Common, but did he mean to include the squares? Light on this question can be obtained by considering what was the use of this word 'park' current among those interested in the park movement, when he wrote the codicil to his will. Mr. Parkman was no doubt familiar with the literature of the subject. He had almost certainly read Mr. F. L. Olmsted, Sr.'s report on Franklin Park published the year before the codicil was written. He appreciated"—and these are the words that are important for us to consider—"that the essence of a park is in furnishing people with an opportunity for rest and recreation as a relief from the insistence of city conditions. He must have known of the more restricted use of the word which tends to confine it to larger areas with seclusion and with trees and other vegetation which recall a country landscape to some extent. This was the sense in which the word 'parks' was used by those concerned in the so-called 'park movement' of the time. Therefore we think that the income of his bequest should be spent primarily on areas which can properly and reasonably produce this effect, and not considerably on areas which should more strictly be called traffic squares, monument sites, etc., rather than parks."

Now, the expenditure of this sum of money must be considered from the standpoint of the effect that it is likely to produce. There already is a stadium seating 2,500 people in the Fens, and now it is proposed that that stadium be ex-

tended so as to include 7,500 additional. That tends to create the congestion, the crowded conditions that surround any athletic field. Are we building and improving an athletic field, or is the expenditure of that money to be restricted to 'parks' using the word as understood by the maker of the will? That is the precise question to be considered here. I contend that the money will not be applied for park purposes if it is used for the building of a stadium and locker buildings. There is another note in this report which is pertinent and it reads as follows:

"The use of the word 'recreation' refers primarily to those receptive and passive forms of recreation supplied by parks and pleasure grounds, such as to stroll leisurely; to contemplate the freedom and openness of landscape surroundings, with room to walk and breathe; to rest under the shade of trees, to picnic upon the turf, and to enjoy the sight of others, especially little children at innocent games. For a large number of people, both young and old, these are real recreations and the public park continues to furnish the best environment out of doors for such pleasurable refreshment of body and soul for the city dweller. There can be no question of the need of ball fields, considering the very great interest today in games of baseball and football, and provision for such fields should be ample throughout the city, but in the interest of the parks as to what they can supply of the other forms of recreation their open spaces should not be sacrificed. Just as Franklin Field was acquired to protect Franklin Park from injury by providing ample space for crowds attendant upon games, so other parts of the park system should, when the need comes, be similarly protected."

That note, by the way, refers particularly to the use of the Back Bay Fens. The recommendation of that committee, Mr. Chairman, was made after very thorough deliberation. It was made after some consultation with all the various interests of the community who were affected by it. The best brains in landscape architecture went originally to the construction of our park system, and the intended purposes of Mr. Olmsted, the founder or designer of the park system, should be consulted in conjunction with the report of this committee. The building of an athletic field, as an outlet for the intense athletic competition that now exists between school boys, together with the conditions that are brought about by athletic fields from their very nature, would necessarily spoil the use of the Back Bay Fens for the purpose for which it was intended, and not carry out the intent and purpose of the creator of this fund, whose intent and purposes are entitled to consideration.

Coun. GUILD—Mr. President, I should be willing to follow the previous speaker in his interpretation of the Parkman will because of the name he bears, if for no other reason. Supplementing his remarks as to the unmistakable illegality of this order, I would like to add that I think that it is exceedingly impolitic for the City Council to pass an order of this sort, for at least two reasons. It is apparently a habit of the Park Commissioners to come in at the last minute of each year and try to get through by the rush route some order for disposition of the balance remaining in the Parkman Fund. That was done last year, and is being attempted here again this year. We were told last year that the Park Commissioners had mapped out a perfectly definite plan and wanted to work along the lines of that plan, and for that reason we allowed them to expend the \$75,000 which was then the surplus in the Parkman Fund. The matter of a stadium, to quote the language of his Honor the Mayor, primarily for school purposes was not mentioned at the time last year when we were urged to permit the Park Commissioners to go forward with their well mapped-out plan. They are now departing entirely from what they told us was their well mapped-out plan of last year and are asking us to give them \$56,000 this year to be used in a way that departs from that plan. They blow hot and blow cold. One year they blow for a well mapped-out plan, and the next year they blow against it. The second reason I have for opposing the order, in addition to what has been said by the preceding speaker, is in furtherance of my well known views in regard to the inadvisability of providing space for spectators at schoolboy athletic contests. It has been my opinion, which has been frequently stated, that no provision whatever should be made for spectators at schoolboy athletic contests for the reason that such contests are justified only by the effect

which they have upon those who participate in them, and are in no way justified from the standpoint of the amusement and entertainment they may furnish for spectators. It seems to me the three reasons which have been advanced here are sufficient to warrant the Boston City Council in permitting this \$56,000 to go into the residue and be added to the principal for next year. No great harm inures from such a proceeding. This \$56,000, if added to the principal, will yield an income, say, between \$2,500 and \$3,000 more, which the Park Commissioners of the City of Boston will have to spend from the Parkman Fund in succeeding years. That is, that additional \$2,500 to \$3,000 will come in each year as part of the revenue of the Parkman Fund. There never would have been a Parkman Fund for us to deal with in any way, shape or manner if George Parkman had each year spent all the income which he received. We never would have had it at all unless he had saved some income and set it aside. That lesson in thrift may well be copied by us at this time. And so, in view of the probable unlawfulness and impolicy of appropriating the money in the way suggested, I feel that it is best that we should be thrifty and add this amount to the present principal of the fund.

The order was passed, yeas 9, nays 7:

Yeas—Coun. Arnold, Donovan, Englert, Fitzgerald, Green, Keene, McMahon, Ruby, Wragg—9.

Nays—Coun. Bush, Dowling, Guild, Lynch, McGrath, Parkman, Wilson—7.

Coun. PARKMAN—Mr. President, I would like to give notice that I shall ask to have that vote reconsidered at the next meeting of the Council.

Chairman DOWLING—The Chair would advise the councilor to make his motion to reconsider now.

Coun. PARKMAN—I was under the impression, Mr. President, that within twenty-four hours I could file with the Clerk notice of reconsideration.

Chairman DOWLING—The Chair would inform the councilor from Ward 5 that if he does not make his motion to reconsider at this time, later on, when the motion for general reconsideration is offered and acted upon, he will have lost his opportunity.

Coun. GUILD—Mr. Chairman, to save all question of doubt, I will move a reconsideration of the vote just taken.

Coun. PARKMAN—Mr. President, I don't want to lose any rights under this procedure. I understand, under the rules of parliamentary law, that if a vote to reconsider is taken at this meeting and fails to prevail, no further reconsideration can be had.

Chairman DOWLING—That is correct.

On motion of Coun. GUILD the Council voted to reconsider the vote passing the order.

On motion of Coun. GUILD the Council voted to assign the order to the next meeting of the Council.

#### SOCIAL SERVICE BUREAU.

Coun. McGRATH offered the following:

Resolved, That in the opinion of the City Council the Overseers of Public Welfare should establish a Social Service Bureau containing the names and addresses of the people who receive aid of any description from the City of Boston; and be it further

Resolved, That such information shall not be divulged to any individual or group of individuals, excepting to a duly authorized private or public institution which is seeking the information for the purpose of preventing duplication of assistance.

Coun. McGRATH—Mr. President, this is not a snap order on my part. You, Mr. President and other members of the Board, heard me ask the chairman of the Public Welfare Trustees, Mr. Heller, questions along this line, and you may be reminded that I asked about the same thing last February. I further asked him the question, What association in Boston gives the most money for public welfare purposes, for charity purposes, and he said that the City of Boston itself gives more than any association in New England. What my order asks for can be explained in this way. When a member of the government finds these instances in his district calling for aid from that department, he goes down to the Department of Public Welfare and asks for temporary help for needy cases. The persons so helped go down there



believing that they have the protection of the City of Boston itself. It may be the first time in their lives that they have ever asked for aid. It may be the case of the mother of a family, with several children, going down there, the father having been stricken with sickness and the family therefore for the first time having to ask for aid. When that mother leaves her home and goes to the duly authorized city aid bureau, she believes she has the protection and backing of the City of Boston itself. But what did you members find out today when I asked the question of the chairman, as I asked it here last February, "What do you do with a name given you in confidence?" "We put it into the hands of a social service bureau." "Who employs them?" "Why, they are private, but all we do is to give the names and addresses." I want the members here to realize the significance of that. I said, "Are those names and addresses kept there for twenty years or more?" He said, "Yes," Mr. President, twenty years from today, when those young children have grown to manhood and womanhood, and when they go out in the world and perhaps have some social standing, some one not employed by the city, some one over whom the City of Boston has no control, some one who occupies a position which is maintained from an outside source, may bring up the name of that family and of those individuals and say that they once were city paupers. Sir, that is worth consideration. The chairman said, "Well, of course, it is not probable that they would give out the information,—that Miss So-and-So, who has charge of it, Miss Woodside would not want to give that out. But there are girls in her office, Mr. President, and my mind went back to the first time when I was a member of the Legislature and when the names of a family in Dorchester who today are comfortably situated but who were once forced to apply for city aid and help, were brought out, after they thought it was all forgotten. But it was discovered that a girl who worked in a private outside social service bureau had told the entire neighborhood that she had seen their names in the files as city paupers. That is something over which we now have no control. I do not blame Mr. Heller or other members of this Board. I sympathize with them: I know how hard their work is. But I do say, if we gave out \$1,700,000 for this purpose last year, and the same amount or more this year, to help people of our city, let us give it out to them in confidence. No matter how poor they may be, they are as much a part of this city as any one of us, sir, and why must we continue the old barbarous treatment of parading before the public the shortcomings of any family in our city? There is no association in this city, privately owned and operated, that has the right to know intimate things about my family, your family or any other family in the city, and I say the City of Boston should stop that sort of thing now. We are spending in this line \$1,700,000 a year or more, and if any private organization—he it Catholic, Jewish or Protestant—wants information, let it come to the duly authorized board, subject to the members of this Council and the Mayor, who are elected by the people of this city, and stop this practice of placing the most intimate things in the lives of some of our citizens in the hands of any private association."

Coun. BUSH—Mr. President, with all due respect to the counselor who has just spoken, I think he has laid a lot of undue stress on the possible publicity that these matters may receive. As a matter of fact, judging from what I heard said by the chairman of the Board, the girl referred to is supported not publicly but privately. But who are the owners of it? They are the social service and welfare organizations in this city, the private welfare organizations, and they have been compiling this data for a period of twenty years or more. Now, we will say that the City of Boston is spending \$1,800,000 or less for this purpose, for welfare work. They have no means of their own of finding out whether these people have been receiving aid from other sources in the city, and they have a right to know that. They have a right to know whether those same people are receiving aid from a half dozen different sources in the city, because if they are receiving such aid these public funds should not be used to help maintain them as well. I say that this public service register or bureau is maintained not simply for the sake of the private welfare organizations but as a co-operative plan for the benefit of all

welfare organizations and I think they do the city a service when they allow the city the use of their files to discover whether people are receiving aid from other sources, because it saves the public funds when they do get that information. If the counselor says the city ought to have its own data, I agree with him, but up to this date they have not had that data, and have had to depend and will have to depend upon this other register. If he insists that this order he put through and that the city proceed to compile that data, I will also agree with him. But if he says that this data so compiled should not be allowed to be seen by other organizations or private welfare agencies, I disagree with him, because we all are interested in seeing that justice is done. If one person is able to go to every welfare organization in the city and get aid from each, without any co-operative work of this sort between the different organizations, he is taking the aid from other persons who may need it as much or more than he or she does. This matter of keeping the data open so that all welfare organizations may take advantage of it is something which is of benefit to all concerned, both the public and private welfare institutions.

Coun. McGRATH—Mr. President, I think the counselor uses the point of my order. Because I do not say that that information gathered by the City of Boston should not be given to any duly constituted charity board which may want to refer to it so that there may be no duplication of work or effort. I only disagree with him, sir, on the matter of who should have the records. I don't care what a family was twenty years ago, whether they were paupers or not. What I am concerned with is today. I say let us start on this thing this year, and at the end of five years we will at least know those citizens who did not want to go to sectarian organizations, but wished to come to their own city board for aid, when they needed it. And then, at the end of the five years, if Miss Peggy Pry wants to know something about somebody's else business, wants to know about the Joneses, what happened to them in the past, how many children they have got, why they don't stop having children—a question that has been asked at the State House, not here—she can be asked, "What association do you represent?" If she says she does not represent any association, but wants the information as a private matter, that information can be refused to her. I don't want to see a duplication, and that is why I have introduced this order. I do think that this sort of thing should be in the hands of our Board, which is the biggest agency of the kind in New England in rendering charity, rather than being carried on by outside agencies. Then, if information is given out that should not be given out, we as members of the City Council assembled and the Mayor can find out who in that Board has been giving out some information, just to satisfy curiosity rather than having any beneficial purpose to the community in mind. It is a question of who shall handle it, and I say the city should do so. This department of the city handles \$1,700,000 last year, being the biggest giver to charity in New England, and I think that such a social service register or bureau belongs with that Board down there and should be in the offices of our Overseers of the Public Welfare.

The order was passed.

#### NIGHT CLINICS AT CITY HOSPITAL.

Coun. McGRATH offered the following:  
Ordered, That the City Hospital Trustees be requested, through his Honor the Mayor, to include in their budget for the coming year a sum sufficient to provide for the opening of night clinics at the Boston City Hospital.

Coun. McGRATH—Mr. President, I don't want to take too much time talking today, but my time here is limited. (Laughter.) The desirability of the introduction of this order occurred to me, sir, because of the fact that we have perhaps one of the finest public institutions in this country, the Boston City Hospital. It does seem, however, that we are not rendering 100 per cent efficiency when we do not have a night clinic there. It does seem with the hundreds of families in the lodging house sections, the poorer sections of our city, who are handicapped in the time in which they can get out—where, for example, the father of the family has to go to work and the woman cannot leave the small children in the daytime, and



a night clinic would give the mother or the father a chance to take the children there at night, to the Out-Patient Department, and receive whatever medical treatment may be desired, that something of this sort ought to be done. There are hundreds of young doctors, well qualified, who would be very glad of the opportunity to get experience in this way. It is not so much a question of handling cases that would be taken to places like the Haymarket Relief Station, or the station in East Boston, as it would be to do something for those who have sickness and who have things in the family requiring medical attention. Any of us know how long a night is when the hand of sickness bears down on a member of a family, and there is not money enough to provide medical treatment. Here is a hospital qualified and fitted to give the best medical treatment of any public or private institution of the kind within a radius of twenty to fifty miles of Boston. But its doors are closed to certain classes of sickness at certain hours. I believe if, from 7 to 9 o'clock in the evening, the Out-Patient Department could be opened, where such wants might be attended to and where medicine could be purchased at a nominal price, the mother staying home with the little brood while the father took along to the clinic those requiring treatment, we would be rendering wonderful service in the city. I believe if this Council is responsible for the first steps looking to a night clinic, through the next budget, we will be building a monument to ourselves which will be appreciated by the public which will be remembered for a long time.

Coun. GUILD—Mr. President, I would like to inquire of the previous speaker if he has made any investigation whatever as to the cost of such a clinic? The order before us is in general terms, and I simply would like to know more about it, so that I may have the facts before me.

Coun. McGRATH—I have made several inquiries, and have received letters back from doctors in charge, to the effect that the cost would be negligible in comparison to the service rendered, because the buildings and all the equipment are there, and because there are so many competent doctors, young doctors, who would be willing and glad to render service free. The cost, in comparison with the service rendered, does not even enter into it, sir.

The order was passed.

#### CONDITIONS AT SAVIN HILL BATHING BEACH.

Coun. McGRATH offered the following:

Ordered, That the Health Commissioner be requested, through his Honor the Mayor, to forward to the City Council whatever information he may have relative to the pollution of water at the Savin Hill bathing beach.

Coun. McGRATH—Mr. President, in explanation of this order I might say that recently there has been constructed in Dorchester by act of the Legislature, a road known as the Old Colony Boulevard. The original plans for the Old Colony Boulevard would have meant the building of a bridge from the shore of Savin Hill Beach to the shore of Colter's Beach, in Coun. Gilbody's ward. But, because of expense, when work was done under the act of the Legislature, and when they filled the road in, instead of leaving an opening of about 2,000 feet into these two beaches, which have cost the City of Boston nearly a million dollars, the state of Massachusetts has surrounded the beaches, with the exception of a tunnel of about 25 or 30 feet. The question has now been raised by the Dorchester Board of Trade and other local improvement associations that there is an old surface drain sewer that comes into the marsh at the end of Savin Hill in the Dorchester avenue section, and two coming from Coun. McMahon's ward, around the upper part of Freeport street, and in an extreme storm those sewers are polluted, the pollution flowing to the beach so that it will be necessary to close the beach. They say that for about \$300,000 the situation could be corrected. It does seem to me, with the expenditure to which the city has already gone of \$1,000,000 in connection with those beaches as against an appropriate

tion by the state of \$250,000 or \$300,000, something should be done to remedy the situation. I don't know whether the waters are polluted. But the only reason why they want to close the two beaches is that it is said that they are polluted. This asks that the Health Commissioner, through the Mayor, transmit to the Council a report as to whether, in his opinion, the waters are sufficiently polluted to close the beaches in the near future.

The order was passed under suspension of the rule.

#### SOLDIERS' AND SAILORS' AID.

Coun. ENGLERT, for the Committee on Soldiers' Relief, submitted report recommending passage of order for payment of aid to soldiers and sailors and their families in the City of Boston for month of December, 1927.

Report accepted, order passed.

#### UNCLAIMED BAGGAGE.

Coun. ENGLERT, for the Committee on Unclaimed Baggage, submitted report on petition of Boston & Maine Railroad (referred today), recommending passage of the following:

Ordered, That the Boston & Maine Railroad be authorized to sell at public auction on or before March 1, 1928, and after publication of the time and place of the sale, according to law, the articles remaining unclaimed in the possession of said railroad in the City of Boston.

Report accepted, order passed.

Coun. GREEN in the chair.

#### REPORT FROM EMPLOYMENT BUREAU.

Coun. WILSON offered the following:

Ordered, That the director of the Municipal Employment Bureau be requested, through his Honor the Mayor, to submit to the City Council on Monday of each week the number of applications for employment received from unemployed during the preceding week, and the number of positions filled directly through the Employment Bureau for the same period.

Coun. WILSON—Mr. President, we have had a lot of talk about unemployment both in the Council and in the Executive Committee today, and I am particularly interested in what is being done by the Municipal Employment Bureau in the old police headquarters. They are no doubt doing an excellent work there and certainly spending a large sum of money, and with the New Year coming on and a probable requisition for a large sum next year, it seems to me advisable to have a check-up for the next few weeks to see how many men are asking employment there, and particularly how many men are receiving employment.

The order was passed under suspension of the rule.

#### REMOVAL OF ASHES AND GARBAGE, DORCHESTER.

Coun WILSON offered the following:

Ordered, That the Public Works Commissioner, through his Honor the Mayor, be and he hereby is respectfully requested to include in the specifications of the contract for the collection and removal of ashes and garbage in the Dorchester district for the calendar year 1928, a provision that the city reserves the right on receipt of complaint to send a special wagon and collect and remove not only garbage but also ashes.

Coun. WILSON—Mr. President, it may be that the contract has already been signed, sealed and delivered. I am not aware whether it has or not. But I trust that the Law Department will look the contract over somewhat more carefully for the coming year than this last year, because I know how it has worked out in some cases during the year. I know that when a contractor

fails to collect ashes and garbage a nuisance, a source of filth, is created by leaving stuff out on the sidewalks days at a time. There is no provision under section 4 of the approved contract under which, when there is such negligence, the city can send out a team and collect ashes and charge it against the man. There is such a provision in regard to garbage, and we are told that that is supposed to cover ashes and is construed to mean garbage and ashes. But it certainly does not cover both in its terms, and I trust that that will be provided for in this year's contract. If it has not been done, it ought to be.

■ The order was passed under suspension of the rule.

#### THE NEXT MEETING.

On motion of Coun. FITZGERALD, it was voted that when the Council adjourn it be to meet on Saturday, December 31, at 11 a. m.

#### GENERAL RECONSIDERATION.

On motion of Coun. DONOVAN, general reconsideration of all action taken today was refused.

Adjourned at 5.11 p. m., on motion of Coun. ENGLERT, to meet on Saturday, December 31, at 11 a. m.





## CITY OF BOSTON.

## Proceedings of City Council.

Saturday, December 31, 1927.

Final meeting of the City Council, in the Council Chamber, City Hall, at 11 a. m., Coun. DOWLING, senior member, in the chair.  
Absent, Coun. Arnold, Gilbody, Mahoney and Parkman.

## FIRE STATION, SAVIN HILL.

The following was received:

City of Boston,

Office of the Mayor, December 27, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Fire Commissioner in answer to your order of November 28, 1927, relative to the establishing of a fire station in the vicinity of Savin Hill avenue and Dorchester avenue for the proper protection of that district.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Fire Department, December 16, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—In regard to the order of the City Council, concerning the establishment of a new fire station in the vicinity of Savin Hill and Dorchester avenues, I beg to submit the following:

This department has made a careful investigation of the fire protection of the district referred to. Our present running card calls for three engine companies and two ladder companies for a response to boxes in this vicinity. This is beyond question sufficient apparatus for first alarm response. At the corner of Savin Hill avenue and Dorchester avenue, Engine 17 and Ladder 7 should arrive in approximately two minutes from the time the alarm is received. Engine 21, another company which responds on first alarms, should arrive within a few seconds of the first two companies. Engine 43 and Ladder 20, the remaining apparatus for first alarm response, should arrive within three minutes of the receipt of alarm. If the fire should occur in Savin Hill, for example, at Box 3256, located on Savin Hill avenue, near Davitt street, Engine 17 and Ladder 7 should arrive in about two minutes and thirty seconds, Engine 21 in about two minutes and forty seconds and Engine 43 and Ladder 20 in about three minutes and thirty seconds.

The distance which our apparatus must cover in this district and the time consumed in covering it is better than in many other parts of the city, even in Dorchester itself, particularly in view of the fact that both engine and ladder companies are within approximately one mile of most of the territory under consideration.

It is unnecessary to build an additional house as suggested in the order passed by the City Council.

Yours very truly,

E. C. HULTMAN,  
Fire Commissioner.

Placed on file.

## REPAVING ALEXANDER AND CEYLON STREETS.

The following was received:

City of Boston,

Office of the Mayor, December 27, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in answer to your order of November 23, 1927, relative to placing in the 1928 budget a sum sufficient to provide for the repaving of Alexander and Ceylon streets, Dorchester, with smooth pavement.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, December 21, 1927.

To the Honorable the Mayor:

I return order of the City Council requesting the Commissioner of Public Works to repave Alexander street and Ceylon street, Dorchester, and report that estimates are being prepared, and the streets will be considered in making up the 1928 program.

Yours respectfully,

J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

## REPAVING FLORENCE STREET, WARD 19.

The following was received:

City of Boston,

Office of the Mayor, December 27, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works in answer to your order of October 31, 1927, relative to the repaving of Florence street, between Ashland street and Mt. Hope Bridge, Ward 19, with smooth paving.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department, December 21, 1927.

To the Honorable the Mayor.

I return order of the City Council requesting that Florence street, Ward 19, from Ashland street to Mt. Hope Bridge, be repaved, and report that the estimated cost of smooth pavement, edgestone and cement sidewalks is \$47,700. We will consider this street in the 1928 paving program.

Yours respectfully,

J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

## SALE OF FIRE DEPARTMENT JUNK.

The following was received:

City of Boston,

Office of the Mayor, December 31, 1927.  
To the City Council.

Gentlemen,—I am transmitting herewith a communication from the Fire Commissioner relative to the sale of old material, and respectfully recommend the passage of the accompanying order.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston, Fire Department,

Bristol Street, December 27, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—This department has on hand approximately six tons of old lead cable and one ton of old iron in the fire alarm shop. This old material is estimated to be worth more than five hundred (500) dollars.

I request that permission be obtained from the City Council to sell it.

Attached hereto is a copy of the last order of this kind.

Yours very truly,

E. C. HULTMAN,  
Fire Commissioner.

Ordered, That the Fire Commissioner be and hereby is authorized to sell, after public advertisement, a quantity of junk belonging to the Fire Department, comprising old lead cable and old iron, valued at over five hundred dollars.

Referred to the Executive Committee.

## REPAVING PROVIDENCE STREET, WARD 4.

The following was received:

City of Boston,

Office of the Mayor, December 31, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from Commissioner of Public Works in

answer to your order of October 31, relative to repaving Providence street, between Berkeley and Clarendon streets, Ward 4, with smooth paving.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
December 21, 1927.

To the Honorable the Mayor.

I return order of the City Council, dated October 31, 1927, requesting the Commissioner of Public Works to repave Providence street, between Berkeley and Clarendon streets, and report that the estimated cost is \$5,000.

This street will be considered in the 1928 program.

Yours respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### LIGHT, WOODMAN ROAD.

The following was received:

City of Boston,  
Office of the Mayor, December 31, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works in answer to your order of December 19, 1927, relative to installing an incandescent light at the junction of Woodland road, River and Tileston streets, Ward 18.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
December 30, 1927.

To the Honorable the Mayor.

Returning order of the City Council requesting the installation of an incandescent light at the junction of Woodland road, River and Tileston streets, Ward 18, I wish to report that it does not seem advisable at this time to install the light, inasmuch as during the construction of River street, which will take place in the spring, arc lamps will be installed and in all probability an arc lamp will be located at this junction. Consequently I recommend no action now.

Yours very truly,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### REPAVING WEST FOURTH STREET.

The following was received:

City of Boston,  
Office of the Mayor, December 31, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works in answer to your order of November 28, 1927, relative to repaving with smooth paving West Fourth street, from Dorchester avenue to Dorchester street, Ward 6.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
December 21, 1927.

To the Honorable the Mayor.

I return order of the City Council requesting the Commissioner of Public Works to repave with smooth paving West Fourth street, Ward 6, from Dorchester avenue to Dorchester street.

This is an extensive construction, the estimated cost being \$68,000, and this street with others in South Boston will be considered in the 1928 program.

Yours respectfully,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### BLEACHERS ON FENS PLAYGROUND.

The following was received:

City of Boston,  
Office of the Mayor, December 31, 1927.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Commission in answer to your order of December 12, relative to submitting to the Executive Committee of the City Council, the plans laid out by Mr. Shurtleff in 1925, for the extension of the bleachers on the Schoolboy Playground in the Fens.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, December 23, 1927.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of December 21, with inclosure, order from the City Council that the Park Commission be requested to submit to the Executive Committee, the plans laid out by Mr. Shurtleff in 1925, for the extension of the bleachers on the Schoolboy Playground in the Fens.

In reply I regret exceedingly to inform you that no plans were made by Mr. Shurtleff in 1925.

Very respectfully yours,  
WILLIAM P. LONG,  
Chairman.

Placed on file.

#### INFORMATION ABOUT PROPOSED FENS STADIUM.

The following was received:

City of Boston,  
Park Department, December 27, 1927.  
To the Honorable the City Council.

Dear Sirs,—I desire to submit the following information relative to the so-called School Boys' Stadium in the Back Bay Fens.

At the present time we are asking for an appropriation of \$56,044.62 from the income of the George F. Parkman Fund, it being the last interest to accrue during the year 1927.

The reason for not asking for this appropriation before was that the last payment of interest was not due until after December first and we are notified of the final total balance for the year about December 4 or 5. It was not, as stated by one of the councilors, sent in at the last moment, but instead was sent in the regular manner that this request is sent every year since 1912. The City Council has always voted in December of each year to appropriate the final amount of income of the Parkman Fund in accordance with a request from the Board of Park Commissioners.

The Board of Park Commissioners feel that it was the intent of the donor, Mr. George F. Parkman, when he states in a codicil of his will that he "wished to constitute a fund, the income of which is to be applied to the maintenance and improvement of the Common and parks now in existence" (that is in 1887) to construct and improve any parks and playgrounds that were in existence at that time.

The Fens is the largest undeveloped area within the Boston park system at the present time and it was the intent of the Board of Park Commissioners to complete the improvements on said area during the year 1928, if possible.

A playground is a part of a park. I desire to quote from Webster's dictionary which says "a park is an inclosure in or near a city or town, kept for ornament and public recreation."

The Fens at the present time has an area of one hundred twenty acres devoted to park and recreation purposes. Some years ago, on account of the extraordinary demand for a playground in this section which contains six schools of the higher grades, together with various organizations, colleges and private schools, nine acres were set aside and made into a playground which was never completed.

At the present time we have bleachers that will hold about 3,000 people. These bleachers were designed so as not to interfere with the landscape. They are only about 18 inches above the road and it is the intention of the department to complete these bleachers so they will hold approximately 7,500 people, using the same design, which I assure you will not detract in any way from the landscape effects.

The building it is proposed to erect is also designed with the intention of not interfering with the landscape effects.

The present area is so rough it is dangerous for anybody to use and there are no provisions made for holding school boy meets.

I desire to construct a model playground, a bird's-eye view of which I forward with this letter. The plans for this playground are now all prepared, the contracts are ready for signature as soon as money is appropriated. The playground is necessary in order to improve that part of the park system called Fenway Park. You will note that it contains everything an athletic field should contain. You will also note that it will not in any way detract from the surroundings, in fact it will add considerable to them. I desire also to submit an opinion of the Law Department which states that the department is within its rights in asking for this expenditure.

Very sincerely yours,  
WILLIAM P. LONG,  
Chairman.

City of Boston,  
Law Department, December 29, 1927.  
William P. Long, Esquire,  
Chairman, Park Department.

Dear Sir,—I herewith submit my opinion upon the question which you presented in your letter of December 27, in which letter you stated that you desired this department to give you a written opinion as to whether or not it is within the Park Department's rights to ask for an appropriation from the income of the Parkman Fund for the purpose of building a model playground in the Back Bay Fens or whether or not the donor of the Parkman Fund intended that we should use the income for any such purpose.

The provision of the codicil in the last will of the late George F. Parkman by which the city acquired the residue of the estate of George F. Parkman is as follows:

"I devise said residue to the City of Boston to constitute a fund, the income of which is to be applied to the maintenance and improvement of the Common and the Parks now existing and is not to be used for the purchase of additional land for Park purposes. Any portion of said income, which may not be required for the above purpose in any year, is to be added to and invested as a part of said fund."

This codicil is dated January 12, 1887. The park commonly known as the Back Bay Fens, in which this improvement is proposed to be made, was acquired by the city between the years 1877 and 1879, and is therefore a park for which the income from the Parkman Fund may be expended for maintenance and improvement.

The character of the improvement or improvements to be made in the parks is for the Board of Park Commissioners to determine.

McQuillen on Municipal Corporations, volume III, section 1153, defines a park as follows:

"In its common and ordinary signification a public park is an open or enclosed tract of land adapted for, set apart, maintained at public expense and devoted to the purposes of pleasure, recreation, ornament and light and air for the inhabitants of the town or city near or in which it is located," and cites many authorities in the different states of the Union.

It is also stated in the section just above referred to in McQuillen on Municipal Corporations that Central Park in New York was the first place deliberately provided for the inhabitants of any city or town in the United States for exclusive use as a pleasure ground for rest and exercise in the open air.

Boston Common is and has been considered for a long period of time one of the parks of the city. Boston Common has been used for recreation, for pleasure and for playground purposes and no question has been ever raised as to the expenditure of money for baseball purposes on Boston Common. In fact, for years a portion of it has been used for playground purposes continuously. In the neighboring city of Cambridge, Cambridge Common, a park of the park system of Cambridge, has been constantly used for baseball and football purposes, and the Back Bay Fens would be no less a park if a portion of it was improved as a ball ground or a field for athletic sports with seats provided for the comfort of spectators.

I am therefore of the opinion that your depart-

ment has a legal right to expend money appropriated from the income of the Parkman Fund for the proposed improvement in the Back Bay Fens.

Very truly yours,  
JOSEPH P. LYONS,  
Assistant Corporation Counsel.  
Referred to the Executive Committee.

#### INAUGURATION DAY, 1928.

The following was received:

City of Boston,  
Office of the Mayor, December 27, 1927.  
Hon. James Donovan,  
City Clerk.

DEAR SIR,—I enclose for your attention, copy of letter from Corporation Counsel Deland, advising me that the inauguration of the new City Council in 1928 should be held on Tuesday, January 3.

Very truly yours,  
MALCOLM E. NICHOLS, Mayor.

December 16, 1927.

Hon. Malcolm E. Nichols,  
Mayor of Boston,

Dear Sir,—You seek to be advised whether the inauguration of the new City Council is to be held on Monday January 2, 1928, or on the following day. You ask this question, I understand, because of the fact that January 1, 1928, falls on a Sunday and is to be observed on January 2, which is the first Monday in January, 1928.

By the provisions of sec. 14 of chapter 479 of the Acts of 1924 the new City Council is to serve for two years from the first Monday in January. Clause 18 of section 7 of chapter 4 of the General Laws provides as follows:

"Eighteenth, legal holiday shall include January first, February twenty-second, April nineteenth, May thirtieth, July fourth, the first Monday in September, October twelfth, Thanksgiving day and Christmas day, or the day following when any of the five days first mentioned, October twelfth or Christmas day occurs on Sunday; and the public offices shall be closed on all of said days."

Your Honor will observe that since the first of January 1928, occurs on a Sunday, that Monday, January 2, 1928, is a legal holiday and that all public offices are required to be closed on this day by reason of the provisions of the aforesaid Clause 18.

Section 9 of chapter 4 of the General Laws is as follows:

"Except as otherwise provided, when the day or the last day for the performance of any act, including the making of any payment or tender of payment, authorized or required by statute or by contract, falls on Sunday or a legal holiday, the act may, unless it is specifically authorized or required to be performed on Sunday or on a legal holiday, be performed on the next succeeding business day."

This section permits the city government to convene on Tuesday, January 3, which is the next succeeding business day following the holiday of January 2. In view of the fact that all the public offices are required to be closed on January 2, 1928, by the provisions of Clause 18 mentioned hereinbefore it seems clear that the new council should not be sworn in until January 3, 1928, when public offices reopen.

I advise you, therefore, that the inauguration of the new City Council in 1928 should be held on Tuesday, January 3.

Very truly yours,  
FRANK S. DELAND,  
Corporation Counsel.

Placed on file.

#### PETITIONS REFERRED.

The following petitions were received and referred to the committees named:

##### Claims.

Marguerite Bonitto, for compensation for damage to property at 23 Wellington street, caused by police forcing entrance.

Thomas G. and Francis E. Buckley, for compensation for damage to property at 690 Dudley street, Dorchester, caused by defective sewerage system.



C. & C. Auto Renovating Company, for compensation for damage to automobile by city truck.

Mrs. H. Casey, and Annie M. Vegelah, for compensation for damage to property at 6 Holden place, Dorchester, caused by cellar being flooded.

P. Cerulli, for refund on refuse tickets.

John J. Corrigan, for compensation for damage to property at 57 St. Andrew road, caused by water being shut off.

Arthur Gorrie, for compensation for damage to cab by city cart.

Fred R. Hawthorne, for compensation for damage to automobile by city truck.

Lawrence J. Jenkins, for compensation for damage to automobile by fire apparatus.

Mrs. James Lacinsky, for compensation for damage to property at 4069 Washington street, Roslindale, caused by automobile.

Mary J. Leary, for compensation for damage to property at 55 St. Andrew road, caused by shutting off water.

Anna M. Lydon, for compensation for injuries caused when machine in which she was riding was struck by fire apparatus.

National Greek Bakers, for compensation for damage to truck by city truck.

Daniel A. Nory, for refund on refuse tickets.

Beatrice L. Oger, for compensation for injuries caused by being struck by automobile of Public Buildings Department.

Mary Rittenberg, for compensation for damage to property at 60-70 Geneva avenue, caused by bursting of water main.

John Razeto, for compensation for damage to property at 56 Hyde Park avenue, caused by fire apparatus.

Christine J. Stone, for compensation for injuries caused by an alleged defect at Glen road and Washington street.

Bornstein & Fisher, for compensation for damage to truck by city truck.

Marie A. Finan, for expenses incurred caused by water being shut off at 50 Mercer street, South Boston.

W. W. Tonner, for compensation for damage to automobile by city cart.

#### Executive.

Mrs. H. Parker Whittington, for children under fifteen years of age to appear at Copley Plaza on January 3, 1928.

Mrs. H. Parker Whittington, for children under fifteen years of age to appear at University Club on December 31, 1927.

#### APPOINTMENT OF WILLIAM J. CONLON.

The appointment by the Mayor of William J. Conlon, 220 West Newton street, to the position of Deputy Commissioner of Penal Institutions was received and placed on file.

#### ADDITIONAL TRACK RIGHTS FOR BOSTON ELEVATED RAILWAY.

Notice was received from the Board of Street Commissioners of the passage of orders granting additional rights to the Boston Elevated Railway Company for track locations in the streets of the city, as follows:

Double-track curve in Blue Hill avenue, Dorchester, from and connecting with existing double track northerly of River street and leading to premises at or near Mattapan square, on the easterly side of Blue Hill avenue and on the southerly side of River street, acquired by the City of Boston for the extension of rapid transit facilities in the Dorchester district [64th location].

Double-track curves in Neponset avenue, Neponset, at Taylor street, from and connecting with existing double-track curves and leading to private property on the southerly side of Neponset avenue; single-track curve in Neponset avenue, westerly of Taylor street from and connecting with existing single-track curve and leading to private property on the southerly side of Neponset street.

Placed on file.

#### PAY ROLL OF REGISTRAR OF DEEDS.

The pay roll of the Registry of Deeds for the month of December, amounting to \$6,338.58, was received and approved.

#### MINORS' LICENSES.

Chairman DOWLING submitted applications for minors' licenses of nineteen newsboys and one vendor.

It was voted that licenses be granted under the usual conditions.

#### MORE GOVERNMENT WORK FOR NAVY YARD.

Coun. WARD offered the following:

Whereas, The unemployment situation in Massachusetts is most serious, and any further additions to the ranks of the unemployed in mid-winter might prove a calamity; and

Whereas, A lay-off in employees of the Government at the Boston Navy Yard has been announced; be it and it is hereby

Resolved, That his Honor the Mayor be requested to direct the attention of President Coolidge to existing conditions, and demand the immediate assignment of naval ships to Boston Navy Yard for reconditioning or construction.

Referred to the Executive Committee.

#### RETIREMENT OF WILLIAM J. HARDCASTLE.

Coun. McGRATH offered the following:

Ordered, That the consent of the City Council of the City of Boston, acting as County Commissioners, be hereby granted for the retirement, at one half the regular rate of compensation paid at the time of retirement, of William J. Hardecastle, a veteran of the Spanish War, who has been in the service of the County of Suffolk for more than ten years, who has reached the age of fifty years, who is incapacitated for active service, and whose total income from all sources, exclusive of retirement allowance, does not exceed \$500.

Passed under suspension of the rule.

#### DISPOSITION OF CLAIMS IN 1927.

Coun. GUILD, for the Committee on Claims, submitted the following:

The Committee on Claims respectfully submits the following report showing the disposition of claims during the municipal year 1927:

|                                      |       |
|--------------------------------------|-------|
| Total number of claims received..... | 2,206 |
| Claims approved.....                 | 218   |
| Claims disapproved.....              | 635   |
| Claims pending December 31.....      | 1,353 |

For the committee,

HORACE GUILD, Chairman,

Report accepted and ordered printed, on motion of Coun. GUILD.

#### REPORT OF COMMITTEE ON PRISONS.

Coun. LYNCH, for Coun. Mahoney, submitted the following:

In accordance with the provisions of chapter 223 of the Revised Laws, the Committee on Inspection of Prisons of the City Council submits herewith its annual report.

#### SUFFOLK COUNTY JAIL.

Semiannual inspections of the jail were duly made. Your committee finds that conditions at this institution continue along the lines of cleanliness and order that have characterized it for several years.

Provision having been made for the erection of a model heating plant in the yard of the institution, a grave danger which has threatened the safety of the jail will shortly be eliminated.

Traffic congestion has become so great on Charles

street that Sheriff Keliher has wisely advocated the abandonment of the present entrance for vehicles from that street, and the substitution of a new and safer one to be located on North Grove street, adjoining the Northern Mortuary. Provision having been made for this excellent change, the present menace to the jail van will cease, when the change becomes operative. Your committee approves the proposed change.

Excellent results are being obtained in the hospital and dental departments.

The population of the jail continues abnormally high, maintaining an average rising three hundred.

#### HOUSE OF CORRECTION.

The required number of visits was made to the House of Correction by your committee during the year and the committee was particularly impressed by the excellent condition and the well-kept appearance of the buildings.

Practically all of the buildings have been painted inside and outside, and the colors on the outside are standardized, giving the island a uniform appearance. The cells are clean and in an orderly condition, and the food is wholesome and plentiful. The committee also visited the piggery and horse and cow barns and found them in excellent condition. A pasteurizer has been installed and all milk at Deer Island is pasteurized.

The clothing and shoe shops are doing excellent work and supplying practically all the needs of the House of Correction and the Long Island Hospital.

During the year an appropriation was made of \$125,000 for the erection of a new power and heating plant, which is absolutely necessary, because the present boilers are very old, and have outlived their usefulness.

During the year, from December 16, 1926, to December 15, 1927, the population has increased from 605 to 645. For the same period the commitments were 3,614, while 3,574 were discharged.

For the committee,

MICHAEL J. MAHONEY, Chairman.

(Appended were some tables.)

Report accepted and ordered printed as a public document.

#### BOSTON ELEVATED JITNEY LICENSES.

Coun. WARD, for the Committee on Nitney Licenses, submitted the following:

(1) Report on the petition of the Boston Elevated Railway (referred December 5, 1927) for license to operate jitneys between Fenway and Bowdoin square,—that leave be granted.

Report accepted, leave granted on the usual conditions.

(2) Report on the petition of the Boston Elevated Railway (referred December 12) for license to operate jitneys from Columbus square to the junction of Summer street and Shawmut avenue,—that leave be granted on the usual conditions.

Report accepted; leave granted on the usual conditions.

#### GASOLINE LICENSES.

Coun. RUBY, for Coun. Gilhody, submitted report from the Executive Committee recommending that notices of hearings on petitions for storage and sale of gasoline be placed on file, said notices having been received and referred on the following dates:

May 23, 1927; June 6, 1927; June 27, 1927; July 11, 1927; July 25, 1927; August 22, 1927; September 12, 1927; September 26, 1927; October 3, 1927; October 17, 1927; October 31, 1927; November 14, 1927; November 28, 1927; December 5, 1927; December 6, 1927; December 19, 1927.

Reports accepted; notices severally placed on file.

#### REPORT ON FEES SYSTEM IN BOSTON.

Coun. McGRATH, for the Committee on Legislative Matters, submitted a report on the report from the Budget Commissioner (referred December 12, 1927) covering a survey and study of the fees system of Boston—that the same be placed on file, and further recommending the passage of the accompanying order:

Ordered, That the Committee on Legislative

Matters be directed to petition the General Court at its next session for the enactment of legislation substantially in line with the report of the Budget Commissioner.

Report accepted, said order passed.

#### EVENING CLINICS.

Coun. McGRATH—Mr. President, I would like unanimous consent to make a statement in connection with the order I introduced at the last meeting.

Chairman DOWLING—The gentleman will proceed, if there is no objection.

Coun. McGRATH—Mr. President, last week I introduced an order calling for a night clinic at the Boston City Hospital, because of the fact that there were so many people not suffering from diseases acute enough to send them to the hospital, and yet if they got the proper care at the time when it was needed it would prevent more serious complications setting in later. This week I received in the mail, signed by Doctor Mitchell, a letter in which he tells the story of a clinic in which he is interested, which has been doing night work since September 1. He says here that:

"The Reconstruction Clinic, which up to September 1, 1927, was open during the day only, for the purpose of salvaging the injured workers and their families, has on September 1, 1927, opened a clinic three evenings each week—Monday, Wednesday and Friday,—from 6.30 to 9 p. m., just to supply the medical institutional facilities so sorely needed for this class in the City of Boston and its vicinity."

He further says:

"On reviewing the records of the only other evening clinic open to the populace of Boston, we find that in the year of 1926 over 40,000 cases were treated evenings in that clinic. Our clinic is the only other evening charitable clinic open to the public of Boston and vicinity, irrespective of race, creed or color, and the only evening clinic equipped for treatment by light, electricity or other physical measures, which treatments are generally beyond the means of workers and beyond the means of workers at the ordinary physician's office fee." I am going to leave this letter with our stenographer to include in the record of the meeting. My only thought in the matter is this, and it is a thought to which I wish to give expression on my last day of service here. When I introduced this order, I said that if the Council could inaugurate night clinics in the City of Boston they would be a monument that would last longer than the Council itself. I think what I have read here emphasizes the importance of this sort of thing for large numbers of people in the night time throughout the year. It does seem to me that this will afford a service for which a great many people cannot afford to pay, and that it can be afforded at very little cost. We have our tremendous institution up there, the Boston City Hospital, which will not be rendering 100 per cent service until such time as it does open up in this way for the benefit of the workers, through night clinics for the poorer classes. As I say, the cost will be very slight. The services of the medical men required can be obtained practically for the asking, and the institution, apparatus and facilities are there. All that is necessary is to open the doors. This is certainly a measure of humanity, and I feel that some member of the incoming Council will do well in carrying on the fight next year, holding a hearing in regard to the matter if necessary and sending for the doctors and nurses in charge of the reconstruction clinic; also sending to the Boston dispensary, and getting statistics which I believe will warrant the city in inaugurating a system of night clinics. Such action will live long in the memories of the people and will stand as a monument to the Boston City Council.

The letter referred to by Coun. McGrath is as follows:

Reconstruction Clinic,  
366 Commonwealth Avenue,  
Boston, December 22, 1927.

Mr. Joseph McGrath, City Councilman.

Dear Sir,—We read of your sincere efforts in sponsoring evening clinics for the working class and their children. It applies particularly to those who do not suffer enough physical pain or disability to compel them to leave their work and seek relief, and who, therefore, put off treatment until symptoms are such as to cause partial



or even total disability. This situation serves as a great factor in delaying medical aid at the time when it could be most beneficial, and allows the illness to reach a state where prolonged treatment is necessary or disease has progressed beyond the limits of medical aid.

The same is true of the children of the working families, where the mother, as well as the father, engages in some daily labor and often neglects the minor complaints of the children. It is in such cases that evening clinics would do most in detecting and relieving many ailing youngsters.

The Reconstruction Clinic, which up to September 1, 1927, was open during the day only, for the purpose of salvaging the injured workers and their families, has on September 1, 1927, opened a clinic three evenings each week, Monday, Wednesday and Friday, 6.30 to 9 p. m., just to supply the medical institutional facilities so sorely needed for this class in the City of Boston and its vicinity. On reviewing the records of the only other evening clinic open to the populace of Boston, we find that in the year of 1926 over 40,000 cases were treated evenings in that clinic. Our clinic is the only other evening charitable clinic open to the public of Boston and vicinity, irrespective of race, creed and color, and the only evening clinic equipped for treatment by light, electricity or other physical measures, which treatments are generally beyond the means of workers at the ordinary physician's office fee.

The charge for treatment averages about fifty cents. However, a patient, presenting a note from a charitable or social service agency, stating that circumstances are such that a patient cannot pay, is treated free of charge. The services of physicians and nurses in attendance are rendered without remuneration.

We are writing this letter to you, first because we are very much interested in the health and rehabilitation of workers and their families, especially those of limited means; second, because we believe that such a newly established institution, so sorely needed by that class, should be somehow brought to the attention of the people; third, because our approval of your resolution might serve as an aid in your efforts to preserve the health of those of limited means.

Very truly yours,  
RECONSTRUCTION CLINIC,  
E. G. MITCHELL, M. D.,  
Executive Secretary.

#### SIDEWALK ON CARRUTH STREET.

Coun. WRAGG offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Carruth street, easterly side, from Ashmont street 100 feet southerly, Ward 16, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### SIDEWALK ON NEWBURN STREET.

Coun. GUILD offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Newburn street, from John A. Andrews street to Elm street, at Methodist Episcopal Church, Ward 19, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### WORK FOR CHARLESTOWN NAVY YARD.

Coun. GUILD offered the following:

Resolved, That the Boston City Council heartily indorses efforts made by the Mayor of Boston and Representatives in the Congress of the United States to secure the assignment of work to the

Charlestown Navy Yard, in order to prevent further unemployment in the city.

The question came on the adoption of the resolution.

Coun. GUILD—Mr. President, in presenting that order I have in mind the debate that took place in the Executive Committee, which indicated the feelings of the various members of the City Council with reference to the previous resolve, which is still pending before us. I think the expression of opinion in the Executive Committee may be fairly said to have indicated that this body is in favor, and heartily in favor, of having all the work possible sent to the Charlestown Navy Yard in order to prevent a further addition to the number of the unemployed people in this city. The language of the resolve that was and still is before us was not such as to appeal particularly to the ideas of the various members who spoke in the Executive Committee. I therefore introduce this resolve, which I believe will be in accord with the ideas of the members generally, and I move a suspension of the rule in order that it may be put upon its passage.

The resolve was passed under suspension of the rule.

#### RECESS.

On motion of Coun. DOWD, the Board voted at 12.08 p. m. to take a recess, subject to the call of the Chair.

The members reassembled in the Council Chamber and were called to order by Chairman DOWLING at 12.45 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted the following:

1. Report on petition of Mrs. H. Parker Whittington (referred today) for children under fifteen years of age to appear at the Copley Plaza on January 3, 1928—that leave be granted.

Report accepted, leave granted on the usual conditions.

2. Report on petition of Mrs. H. Parker Whittington (referred today) for children under fifteen years of age to appear at the University Club on December 31, 1927—that leave be granted.

Report accepted, leave granted on the usual conditions.

3. Report on communication from Park Department submitting information relative to so-called schoolboys' stadium in the Back Bay Fens (submitted by the Mayor and referred today)—that the same be placed on file.

Report accepted, said communication placed on file.

4. Report on order (submitted by the Mayor and referred today) authorizing the Park Commissioner to sell junk belonging to the Fire Department—that the same ought to pass.

Report accepted, said order passed.

5. Report on preambles and resolution (referred today) requesting the Mayor to direct the attention of President Coolidge to existing conditions and to demand the immediate assignment of naval ships to Boston Navy Yard for recon-ditioning or construction—that the same ought not to pass.

Report accepted, said order rejected.

#### IMPROVEMENTS FOR FENS.

On motion of Coun. FITZGERALD, the Council took up assignment No. 17 on the calendar, viz:

Ordered, That the sum of \$56,044.62 be and the same hereby is appropriated from the income of the Parkman Fund, to be expended under the direction of the Park Commission, for the maintenance and improvement of the Common and parks in existence on January 12, 1887, as follows:

Fens, Improvements, \$56,044.62.

The question came on the passage of the order.

Coun. BUSH—Mr. President, when this matter came up before, at a previous meeting, and was voted upon I voted against the proposed appropriation from the income of the Parkman Fund after listening to the summary and interpretation of the will of the deceased by our colleague, Mr.



Parkman. Because of the relationship of the councilor to the testator I was inclined to give his interpretation a great deal of weight, and for that reason I voted in the manner that I did. I have since had occasion to see and read the provisions of the will itself, and I now to some extent regret that I am compelled to disagree with Coun. Parkman in his interpretation. The wording of the will simply is "maintenance and improvement of the Common and parks then in existence." There is no question in my mind but what the stadium is an improvement, and a considerable improvement, of our park system, because it is for the health and recreation of the inhabitants of our city. Therefore, I now feel impelled to vote for the order.

Coun. GUILD.—Mr. President, as I have said on other occasions in addressing the Boston City Council, there are times when I wish I were eloquent and were able to persuade the members of this body to my own way of thinking. This is one of such times. I have heard what Coun. Bush has just stated to us, and I have heard read the letter from the Park Commissioner bearing upon that subject, and I am still of the opinion that I was when the Council last considered this matter. The reasons which then actuated me in voting as I did are still strongest in my mind. I may perhaps be pardoned for reading to the City Council the exact language of the codicil to the will of George F. Parkman which created this fund the income of which we are asked to dispose of. It reads as follows:

"I devise the residue to the city of Boston to constitute a fund the income of which is to be applied to the maintenance and improvement of the Common and the parks now existing, and is not to be used for the purchase of additional land for park purposes. Any portion of said income which may not be required for the above purpose in any year is to be added to and invested as a part of said fund."

Then follow the usual clauses of execution which are used in any will or codicil. That is the exact language of the codicil which created this fund. Having in view the practical, political and legal aspects, we are asked as members of the City Council to put some interpretation upon that instrument. I, for one, would defer to the interpretation which a nephew of the testator has indicated represented his belief in regard to the matter. I believe there is no man who has been a member of the Boston City Council the past two years but what holds that man in the highest affection and esteem. It is my personal opinion, and I dare say it is shared by others, that he is undoubtedly the ablest man who is a member of this body today, and nobody regrets more keenly than I do his absence from among us on this occasion. He would not wish the matter put upon any personal grounds, but, because of the relationship I have had with him during the last two years, I am willing to put it on personal grounds and to say I am willing to accede to his wishes in the matter. Of course, from the cold, legal point of view the only body of persons who have the power of interpreting this instrument are the Supreme Court of Massachusetts. That is the cold legal aspect of the situation. It is nevertheless true, I think, that we as human beings are willing to say that to us a man of the ability and of the charm of the nephew of the testator stands on an equality with the Supreme Court of Massachusetts in the human right to interpret what he believes his uncle meant when he used those words. This man has been with us on all occasions virtually when we have met together, whether it might be to deliberate or to frolic. We know him and like him; we esteem his ability and appreciate his charm. For purely personal reasons, if for no other, I would be willing to follow him and take what he considered to be the correct interpretation of the will, without leaving it to a cold and austere judicial body like the Supreme Judicial Court of Massachusetts. It is not wholly unreasonable—I think, on the other hand, it is wholly reasonable—to accept the interpretation which the nephew of the testator has put on his uncle's will, for these reasons. This codicil with which we are dealing was written the 12th of January, 1887. For twenty-one years after that the testator continued to live in Boston. No man can dispose of a property valued at \$5,000,000, giving it to the City of Boston for certain purposes, without having a pretty good idea of what the purposes for which he wanted

the money used were. It was not a fifty-cent gift; it was not a \$500 gift. It was \$5,000,000 that he was giving to the City of Boston, and he would naturally inform himself thoroughly as to what the situation of the City of Boston was and would be at the time when his gift was to take effect. He knew that it was possible to make any change he desired in his testamentary disposition, because we depend on the codicil to his will for the gift. He knew it was possible to make codicils, he knew that it was possible to amend; he knew during the twenty-one years he lived after the time he wrote those words that it was possible for him to change them if they did not suit him. With that knowledge, and with the knowledge of what was going on in the Park Department of the City of Boston, he left those words standing as he wrote them January 12, 1887, without change, until the time when he died. No one can read that codicil, Mr. Chairman, without being satisfied that the author of it intended a strictly limited use of that money. He limits it expressly himself in certain ways. He says it is to be used "on the Common and parks now existing." The words "now existing" are one limitation which he expressed and which indicated that he had in his mind a certain limited use of that money. He goes on and says: "Any portion of the income which may not be required for the above purposes in any year is to be added to and invested as a part of said fund." There is another limitation that he expressly imposed. He had in his mind a limited use of those funds. Some of us are familiar with the theory of the law by which directors of corporations are brought before the courts on the appeals of stockholders, for instance, to compel a declaration of a dividend. You had such a case when the Dodge Brothers made Henry Ford shell out. Those cases are perhaps rare, but they do happen. When you are dealing with directors of a corporation you may well take the attitude that you will not interfere with their discretionary use of the money of the corporation unless and until it is clearly evident that they are acting in bad faith and outside the scope of what represents ordinary good business judgment. That is one angle from which bodies of men who have the handling of sums of money which belong to somebody else are dealt with. Directors of a corporation handle funds which, in a sense at least, belong to the stockholders of the corporation. In dealing with them the courts have taken the attitude, and we might well take the attitude, that it is proper to say we will not interfere unless and until it is clear that they are overstepping all reasonable bounds and are acting in bad faith. On the other hand, when you are dealing with trustees you are dealing with an entirely different sort of case. Trustees occupy an entirely different relationship to the beneficiaries of a trust than stockholders occupy to the directors of a corporation in which they own shares. The rule has always been recognized, and it is a reasonable rule, that when you are dealing with trustees you take the diametrically opposite point of view from what you take in dealing with directors of a corporation. When you are dealing with trustees you say they shall not spend the money unless it is clearly evident that it lies within their power to do so. That, you see, is a point of view squarely opposite to that taken concerning directors of a corporation, who will not be interfered with unless they are doing something that they clearly have no right to do. The burden with trustees is placed the other way, and they are supposed to justify the expenditures they are making. Directors of a corporation need only show that their attitude is not clearly unreasonable, and that it is not clearly taken in bad faith. In this codicil the City of Boston is not named as a trustee, but that does not to my mind make any difference. It is in fact a trustee of this money. It is given this money for specific purposes, to use the income for specific purposes. As a matter of reason and a matter of law the city is in fact a trustee of that fund and has to manage the fund, as a matter of reason and law, as trustees do. We therefore, in deciding upon the expenditures that can be rightly made from the income of the Parkman Fund, must regard the city in its corporate capacity from the point of view that trustees are regarded, when it comes to the propriety of expenditures of money in their hands. We must say that, unless and until it is clearly shown to be within the scope of their

authorization and the powers given them by the trust which they are handling, they have not a right to spend it. We all know that in this state certain investments are lawful, legal for trustees to make, and that certain other investments are unlawful, that nobody acting in a trust capacity can invest such money in such way. The reason for that I have already pointed out—that trustees must justify the action they take, and therein are entirely different from directors, who need not so justify their action but are only called upon to show that what they have done has not been done in bad faith. In dealing with this income from the Parkman Fund we are dealing as trustees with trust money, and must in all reason be satisfied beyond a reasonable doubt at least, and probably beyond any doubt, that we are using it in a way in which we clearly have a right to use it. The language of the codicil, moreover, Mr. President, is this:

"That the income is to be applied for the maintenance and improvement of the Common and parks now existing."

The "now existing" phrase has already been interpreted to mean existing at the time the codicil was written. Mr. Parkman continued to live down to 1908. During that time more than half the parks and playgrounds which we now have in the City of Boston were added to the rest. Less than half of the parks and playgrounds which we have today were in existence January 12, 1887, and more than half of them were added during the twenty-one years between 1887 and the time of the testator's death in 1908. George F. Parkman lived through that development, knew what was going on, and yet he did not see fit to alter the codicil of his will which he drew at a time when the Park Department of the City of Boston was, as compared with what it is today, a negligible thing. The chairman of the Park Department in his communication to us today is perfectly apparently laboring under the same delusion which he had when he came before the Executive Committee about two weeks ago. At that time he insisted that the codicil said "playgrounds." It does not say "playgrounds." It says "the Common and parks." It never said or mentioned "playgrounds" in any way, shape or manner. Playgrounds were in existence in 1887, and thirty-five playgrounds were added to the city between 1887 and 1908. George F. Parkman knew that, but he never changed his codicil so as to include playgrounds. The chairman of the Park Department, in his communication to us today, says he wants to make this the finest playground in the city; the Mayor in his communication to us introducing the communication from the Park Commissioner, said he wanted to do something primarily for the schools of the city. The Parkman will says nothing about playgrounds and nothing about schools, and yet the Park Department itself recognizes that there is a difference between playgrounds and parks in this city. If we examine the Municipal Register, the latest edition, that part dealing with the Park Department, we will find how the chairman of the Park Department, compiles his figures referring to what is under his jurisdiction. He starts off with an enumeration of what are parks, enumerating them, including miscellaneous parks. On pages 83 and 84 of the current Municipal Register the list of parks of the City of Boston is thus given. He then gives a list of an entirely different set of lands, designated by himself as "playgrounds." And there follows a list covering two more pages. So in the mind of the Park Commissioner himself there is a distinct difference between parks and playgrounds. He mentions the fact that there are playgrounds on certain parks, but he never fails at any time to acknowledge that there is a distinction between a park and a playground. In his communication to us he says he wants to use this money on a playground. He thinks the will says he has a right to use it on a playground. He is mistaken. His letter to us shows how his mind is running. He thinks the word "playgrounds" is in the will, and it never was. We have to use this money on parks; we cannot use it on playgrounds. Simply because a playground is in some cases in a park does not make that playground a park. Take the quotation from Webster's Dictionary, which the Park Commissioner cited to us in his letter,—*"A place for public recreation."* Is it conceivable to the minds of any that a stadium where athletic events are participated in by students in the public schools is within the definition of "a place for public recreation"? I dare say there are as

many students in schools which are not a part of our public school system in Boston today as there are in the public schools themselves. I have no figures on that, and I may be in error; but I do know that the number of students in schools which are not public schools is myriad. As a practical matter, how would this proposition work out for the general public? The Mayor of the city says the purpose of this appropriation is to make a playground primarily for the athletic activities of our public school system,—that is, the public school system of the City of Boston. As a practical matter, that stadium, being exclusively used in that way, during times of the year when the public schools are in session, it will not be used. The general public will not get a show at those grounds at any time during the months from September to June, and neither will the students in the schools other than the public schools. This, it seems to me, is a ruse, a subterfuge for the purpose and the sole purpose of taking money from the income of the Parkman Fund for use of the public schools of the City of Boston. The School Committee of the City of Boston has during the past year been under no inconsiderable fire, by reason of the amount of money they are expending. Compared with what has been expended for the schools of Boston in previous years the amount has been enormous. Considering what the Boston public schools may need it may not be so enormous, but in this case if the public school system of the City of Boston can get a little lift to the extent of \$50,000, it will mean that there will be that much less criticism to be heaped on the School Committee because of the vast amount of money they are spending. The Mayor says in his communication to us that this is for our school system. There is no getting away from that. He acknowledges that that is the purpose of it. When we consider that the object of George F. Parkman in his will was to bequeath an amount for the Common and the parks, it seems to me that to make an attempt at this time to get \$56,000 for the School Committee in this way is but a whack at that fund, a subterfuge, a ruse, in my opinion, the favorable recognition of which will be enough to expose this body and the city in a corporate capacity to criticism as trustees of the George F. Parkman Fund. There is no doubt that we are trustees under the terms of the will, although it does not expressly say so, because the money is really put in the hands of the city as a trustee, and therefore we have to regard ourselves as trustees and act as trustees in this matter. The communication from the Park Commissioner this morning states to us that the contracts are all ready. I don't know whether he means by that that the contracts are all signed up, or not; but when he comes here and says that the contracts for this job are all ready, but I couldn't possibly tell you about the \$50,000 until after December 1, because the money was not paid until December 1, it seems to me he is in a position where we can almost laugh at him. He knew what the investments of the Parkman Fund were long before December 1, knew the amount of interest that the bonds bore, and could have sat down with pencil and paper and figured out the amount of money coming in December 1. The mere fact that this is something that has been done wrongly in the past is no reason whatever for our continuing to do it wrongly now or in the future. If it has been wrong in the past to wait until the last two or three meetings of the Council before asking for an appropriation of whatever balances there were in the hands of the City Treasurer as income from the Parkman Fund, it does not follow that we have got to go on doing the wrong thing, using the same argument for the use of the money in this way that has been used in the past. The mere fact that the proper method has not been followed in previous years does not justify us a particle in going ahead and continuing to do the wrong thing. He points out to us that the Aquarium was built with income from this fund; he says that certain buildings in Franklin Park were built with income from this fund. But neither the Aquarium nor buildings referred to on Franklin Park were built in a way which was calculated to inure to the benefit of the public school system of the City of Boston. Those buildings are open to the general public. Men, women and children go in and out of them whenever they feel so inclined, at any and all times. They are not used for a comparatively small group in our total population. There is one other aspect of the matter that I want to refer to in the discussion at this time, and that is, the



definition which has been cited for our approval as to what constitutes an improvement. Almost anything can, in a sense, be considered an improvement. Take a piece of swamp land, for instance,—if it were merely filled in with ashes and refuse, that would be an improvement of the swamp land. Originally the territory which it is expected to use for the purpose set forth in this order was exactly that kind of land. But the mere fact that this provides for filling in a swamp in some way does not mean that that is an improvement which we have got to accept as the kind of improvement which shall go in there, to be paid for out of this fund. Anything which is dumped in there might mean an improvement, but that does not necessarily mean that it would be the kind of thing that George F. Parkman had in his mind when he wrote in his will that he wanted the income of the fund used for improvements. I don't think anybody here would think for a moment that we had a right to use the income of the Parkman Fund for contracts for the collection of ashes and refuse to be dumped in the Back Bay Fens, to fill in. That is not what he meant by "improvement." He meant by "improvement" improvement as a park. Parks have been discussed by me already, in comparison with playgrounds. A playground, as commonly known and as we all accept it, is an area where certain sports of an organized sort are conducted. We go down to the southwest corner of Boston Common, near Park square, and see a large area kept clean of grass, trees and shrubbery of all sorts, devoted to the use of those who wish to play baseball, football and other organized games. We do not think for a minute of calling that area a "park." We go to other places and see the same sort of thing, and designate such an area as a "playground." Shortly after the development of Franklin Park was started, as a park, Franklin Field was started, across the street, because there was need of a playground, something separate and distinct from Franklin Park. They needed a playground, and so something different from a park was established there. Those two areas in the City of Boston, I think, are sufficient to satisfy anybody that there is a distinction between a park and a playground,—and we as trustees cannot use this money on playgrounds. In 1921, the then Mayor of Boston created a commission for the purpose of examining into the Parkman Fund and making recommendations as to what would be the best way to employ the income from that fund. The names of the people on that commission or committee were, and are now, imposing. Some of them are now deceased. They were men of ability and standing, and they made an able examination into the entire situation. That report is contained in Document 103 of 1921. It is a valuable document for any of this body to peruse. No member can possibly peruse it without coming to the conclusion that the expenditure called for by this order before us is against all ideas of experts as to what is an expenditure on a park. At the last meeting of the Council, when the matter was under discussion, the testator's nephew read certain excerpts from that document. I do not believe any valuable purpose can be served by repeating —

Coun. KEENE—Mr. Chairman, I move the previous question.

Chairman DOWLING—Coun. Guild has the floor.

Coun. KEENE—I move the previous question, Mr. President.

Coun. GUILD—Mr. President, I don't think any good purpose could be served —

Coun. McGRATH—Mr. President, will the gentleman yield for a question?

Coun. GUILD—I do.

Coun. McGRATH—I simply want to say, without interrupting the gentleman too long, that I have received a telegram from New York, signed by Henry Parkman, Jr., which I believe should go into the record. Because of his interest in this matter, I do not think it would be fair for him to be absent without some statement being made as to his whereabouts and the position in which he finds himself. He says in his telegram that he is sorry that he is detained in New York today, unable to attend this last meeting; that he regrets his inability to be recorded against the Fens appropriation, but hopes that it will be defeated. I simply wanted it to appear in the record that there is a very good reason for Mr. Parkman not being here at this time. Now, just one other thing —

Chairman DOWLING—The gentleman from Ward 19 (Coun. Guild) yielded for a question, Mr. Councilor, and the Chair thinks that you should not proceed further, unless there is a question you still wish to ask.

Coun. GUILD—Although I failed to get the gist of the question, Mr. President, I must not fail at this time to express my appreciation of the favor that the councilor to whom I yielded conferred in calling the attention of this body to the reason for the absence of Coun. Parkman at this time, in view of his expression of feeling upon this matter when it was before us at our last meeting. I realize, Mr. President, that the body is getting restive and I apologize to them for taking the time I have in presenting to them a matter that I consider of considerable importance. And I consider it of importance for the reason that I think they, as trustees of this Parkman Fund, have acted wrongly in regard to the fund in the past—not the individual members here but the City Council of the City of Boston. I think it has acted wrongly on occasions in the past and I think it is in danger of acting wrongly now; and, as I stated a few minutes ago, I don't think the fact that the Council has before done a thing that is wrong, is the slightest justification for its again doing a thing that is wrong or even questionable, at the present time or in the future. I also realize that several members of the Council have important engagements, and I am not going to trespass very much longer on their time. I want to say, in conclusion, that I am glad to have had an opportunity to express my ideas on a matter that I regard as so important, and I sincerely hope it will be the policy of the Boston City Council in the future, as it has been during the time I have had the pleasure of serving in it, to not penalize, insult, or cut short a man who has something to say in which he sincerely believes.

Coun. FITZGERALD—Mr. President, I am going to vote for this order, but I do so feeling that there is a grave doubt whether the money can be properly used for the purpose for which it is now asked. Along that line I think there is much to be said in support of the argument of the last speaker, who has certainly given us a fairly good presentation of the case in Mr. Parkman's absence. I understand that this matter is going to be tested in the courts, from what I have heard within a few days around here. Let me also say to the Council that the custody of the Franklin Fund was taken away from this Council some years ago for the very same reason that has been advanced in this case,—that the money was being used for purposes for which it was not intended by the testator when the will was drawn. Therefore, the Legislature stepped in and took it away from the City Council. Also, in 1909, the late Nathan Matthews, when this money was left to the City of Boston, went to the Legislature to have the courts appoint a commission to handle the money. George P. Anderson, a member of the old City Council, went to the Legislature with others and opposed that plan and finally convinced the Legislature that the City Council of the City of Boston could be trusted to handle the money; and following that Mayors Fitzgerald, Peters and Curley were very careful in the handling of the fund, proceeding very cautiously. So this is the first time that any question has ever been raised as to the legality of the use of this money, and I now predict that the Legislature will perhaps be again called upon to step in, at this late hour, and have a commission or board appointed to handle the Parkman Fund. Of course, our Corporation Counsel has said that this proposed action is legal, and I shall vote for it, but I do so, saying that I have my doubts, feeling a good deal in some respects as the preceding speaker feels. The question as to the propriety of spending the fund for this proposed purpose has been raised by Mr. Parkman, a member of our body and a relation of the maker of this will. He, and the last speaker, have given us good reasons for the position that they take. This disposition of the Parkman Fund money being suggested by this order, the question occurs to my mind, Have we not the right to build at the Charlesbank gymnasium a suitable building? We have a building down there now which is a positive disgrace to the City of Boston. The shower baths have not been in condition in the girls' gymnasium for the past two years, and the building is in very poor shape. That is a place where Mr. Parkman used to take his walks. I perhaps had a privilege that was



enjoyed by very few members of the Council, of knowing that gentleman personally and often talking with him as he was making his daily trips through the West End, as I stated a few weeks ago when this matter was brought up. That would certainly seem to be a place in which he would naturally take a great deal of interest. However, it is getting late, and we are in the closing hours of this body. I shall vote for the proposition but with the understanding that I think it is wrong. I shall, however, accept the opinion of the Corporation Counsel. I do, however, feel that the same action may be taken with regard to the Parkman Fund that was taken concerning the Franklin Fund, if we are not very careful in this body. The Legislature in its wisdom did step in and take away from us the control of the Franklin Fund, and may in its wisdom step in in this case. It is my feeling that you should not build stadiums, that sort of thing, from this fund. However, for the time being I will take the opinion of the Corporation Counsel.

Coun. BUSH—Mr. President, I don't want to take up the time of the Council with any lengthy reply to the councilor who has covered the situation so thoroughly, legally, politically and otherwise; but I do want to call the attention of the body to this point. When a man of the mental acumen of this testator creates a codicil to his will, undoubtedly with the advice of competent and able counsel, I think it is to be assumed that he makes that codicil with a thorough understanding of the interpretation that may possibly be placed upon the wording of it. If the late Mr. Parkman had intended that that language be interpreted strictly, he could have enumerated the kind of improvements that the money should be spent for. But he did not do that. He did limit the places upon which that money was to be spent; he did limit the area. He said it was to be spent only upon the Common and the parks then in existence. But he did not limit the improvements for which that money was to be spent on those parks, and it is my opinion that he did not do so purposely and intentionally, because when a man limits and specifically enumerates the limitations to be placed upon the interpretation of his will, he then shows that he wants a strict interpretation of that enumeration. But when he uses a dearth of words, in the manner in which this codicil is phrased, when he merely says, "for the maintenance and improvement of those parks," it seems to me that he intended that a broad interpretation be placed upon the way that money was to be spent; and that interpretation is to be placed in this manner, in my opinion, that those improvements be for the public health and recreation for the public benefit. There is no question but what the Zoo in Franklin Park was for the public benefit, although it was not enumerated in his will, nor perhaps did he then contemplate such a thing. Neither were there enumerated the bandstand on the Common, the rose garden in Franklin Park, nor greeting gates. All these things are rather monumental in character, æsthetic, than things directly connected with public health and recreation. But he evidently intended a broad interpretation of his words, including anything that satisfied the æsthetic sense of the public, anything that was along the line of beauty, culture, health and recreation, might be considered as a public improvement. Personally, I believe he intended in the first place that such a broad interpretation should be placed upon the way in which that money was to be spent.

Coun. KEENE—Mr. President, I move the previous question.

Chairman DOWLING—If there is no objection, for the purpose of the record, the Chair will ask the Clerk to read this telegram from Coun. Parkman.

Clerk DONOVAN read the following telegram:

New York, December 31, 1927.

Frederick E. Dowling, Council Chamber, City Hall, Boston, Mass.

Unavoidably detained and unable to attend last meeting 1927. Hope it will be possible to have Council approve legislation on fees and licenses as recommended in Budget Commissioner's report. Regret particularly unable to speak and vote against Fens appropriation and hope everything will be done to stop it. Please give my best to retiring members.

HENRY PARKMAN, JR.

Chairman DOWLING—The Clerk will call the roll.

The order was passed, yeas 12, nays 3.

Yeas—Coun. Bush, Donovan, Dowd, Englert Fitzgerald, Frecey, Green, Keene, McMahon, Ruby, Ward, Wragg—12.

Nays—Coun. Dowling, Guild, McGrath—3.

#### APPROPRIATION FOR MT. HOPE CEMETERY.

The Council took up No. 3 on the calendar, unfinished business, viz.:

Ordered, That the sum of \$25,000 be and hereby is appropriated from Special Fund, Sales of City Property, for Mt. Hope Cemetery, Extension and Development of.

On December 12, 1927, the foregoing order was read once and passed, yeas 15, nays 0.

The order was read a second time and again passed, yeas 16, nays 0.

#### WORK ON COLUMBUS AVENUE BRIDGE.

Chairman DOWLING called up, under unfinished business, No. 2 on the calendar, viz.:

Ordered, That the sum of \$85,000 be and hereby is appropriated, to be expended under the direction of the Commissioner of Public Works, for Columbus Avenue Bridge, and that the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of the city to said amount.

On December 12, 1927, the foregoing order was read once and passed, yeas 15, nays 0.

The order was given its second and final reading and passage, yeas 17, nays 0.

#### ACTION ON EXECUTIVE APPOINTMENTS.

Chairman DOWLING called up, under unfinished business, Nos. 4 to 15, inclusive, on the calendar, viz.:

Action on appointments submitted by the Mayor December 19, 1927, of Joseph Rice and Julius Richmond, to be constables.

Action on appointments submitted by the Mayor November 28, 1927, of Joseph Morelli and Thomas F. Long, to be constables.

Action on appointment submitted by the Mayor November 14, 1927, of Michael M. Plepys, to be a constable.

Action on appointment submitted by the Mayor October 31, 1927, of David Tobey, to be a constable.

Action on appointments submitted by the Mayor September 26, 1927, of Bernard Chaunev and Louis M. Rose, to be constables.

Action on appointments submitted by the Mayor August 22, 1927, of John F. Ruggieri and Amos J. G. Patch, to be constables.

Action on appointment submitted by the Mayor July 25, 1927, of George Roche, to be a constable.

Action on appointments submitted by the Mayor June 6, 1927, of William V. Green and Frank M. McCloskey, to be constables.

Action on appointment submitted by the Mayor April 25, 1927, of Nathan Mazur, to be a constable.

Action on appointment submitted by the Mayor May 16, 1927, of Frederiek DeCieco, to be a constable.

Action on appointments submitted by the Mayor May 23, 1927, of Carl P. White and Harry Butters, to be constables.

Action on appointment submitted by the Mayor April 11, 1927, of Barney DeLuca, to be a constable.

Chairman DOWLING also called up from the table, Nos. 19 and 20 on the calendar, viz.:

Action on appointments submitted by the Mayor April 11, 1927, of constables, viz.:

Thomas Cannizzaro, Maurice Rosenberg.

Chairman DOWLING—The Chair would state that these matters should be acted upon at this meeting.

On motion of Coun. KEENE the above matters were indefinitely postponed.

## LOAN FOR GOLF COURSE.

On motion of Coun. WILSON, the Council took up under unfinished business No. 16 on the calendar, viz.:

Ordered, That the sum of two hundred thousand (200,000) dollars be, and the same hereby is, appropriated to be expended under the direction of the Park Commissioners, for the purchase of a tract of easily accessible land of sufficient area for the construction of a second public golf course in the City of Boston, and that to meet said appropriation the City Treasurer be and he hereby is authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city for said amount.

Further ordered, That the sum of one hundred thousand (100,000) dollars be and the same hereby is appropriated to be spent under the direction of the Park Commissioners for the construction of an eighteen-hole public golf course in the City of Boston, and that to meet said appropriation the City Treasurer be and he hereby is authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city for said amount.

On August 22, 1927, the foregoing orders were read once and passed, yeas 16, nays 4.

Coun. GUILD—Mr. President, I regret that it is necessary for me to oppose the passage of this order at this time. I had hoped that it would slide over by reference to the next City Council. My reasons for opposing it are these. As I understand the situation, the order anticipates—although it does not expressly say—that certain land situated in Ward 18 is to be used for the purpose of constructing this second public golf course. I assume, from the fact that the councilor from Ward 18 (Coun. Wragg) did not himself introduce the order, that he is opposed to it, and therefore did not accede to a request from the councilor who did introduce the order to go ahead with it. Otherwise, I can conceive of no reason why a councilor living outside Ward 18 should introduce an order affecting Ward 18 in the way that this order does. During the past few weeks a magazine published in New York, which has considerable circulation in Boston, has contained a lengthy discussion of what has happened in Boston, and all of the current occurrences have been set forth and discussed in a more or less rambling way. The conclusion to which the writer of the article comes, however, is that what has happened to Boston is that the people are wanting to get three square meals a day,—that is, that they are interested in making some money, and that what has happened here is that the people have recently come into that frame of mind. Out in Ward 19, which I still represent, and which is contiguous to Ward 18, there are a good many people who are interested in making some money. They work in the various factories and places of employment in Ward 18 and, while I hold no brief for any particular factory or place of employment in the Hyde Park district, I know that there are several thousand people living in my ward who are very much interested in what goes on down in Ward 18 around those factories and around Ward 18 in general. Several thousands of those people have been laid off from the factories and are out of work. They are not interested in playing golf, and they are not interested in having money spent for any golf courses out there. What they are interested in, perhaps, is having some city contracts awarded to factories in that vicinity so that they can have a job. They want some money spent in that way, and not on golf courses. No later than this morning there was an article in one of the Boston newspapers in regard to how detrimental the game of golf was proving to be to the American public. The writer went into it from a health point of view almost entirely, the idea underlying it being that so much time was necessary to play a game of golf that everything else had to suffer, and that the player's nerves were on edge. I cannot discuss the medical aspect of the game of golf with you, but I can tell you that the people of my part of Boston don't want a golf course put in there. What they want is a chance to make a living, and they are a great deal worried about what has happened within the past six months. They are not particularly interested in a golf course, although a good many of them are Scotch out there. I think their desire to get three square meals a day arose considerably before the Sacco-Vanzetti case was brought to the public attention!

Coun. WRAGG—Mr. President, the outgoing councilor from Ward 19 (Coun. Guild) is laboring under a misapprehension in regard to the attitude of the outgoing councilor from Ward 18 (Coun. Wragg), as to my favoring or not favoring the golf course. It is true that the councilor from Ward 17 introduced the order, but I was very glad to have him do it, utilizing a piece of land that I would like to see developed. I am certainly in favor of the proposed golf course.

Coun. RUBY—Mr. President, I move the previous question.

The orders failed of a passage (a two-thirds vote being necessary for passage), yeas 14, nays 2:

Yeas—Coun. Bush, Dowd, Englert, Fitzgerald, Freeley, Green, Keene, Lynch, McGrath, McMahon, Ruby, Ward, Wilson, Wragg—14.

Nays—Coun. Dowling, Guild—2.

Later in the session Coun. WILSON moved a reconsideration of the vote rejecting the orders, and reconsideration prevailed. The order was given its second and final reading and passage, yeas 15, nays 2:

Yeas—Coun. Bush, Donovan, Dowd, Englert, Fitzgerald, Freeley, Green, Keene, Lynch, McGrath, McMahon, Ruby, Ward, Wilson, Wragg—15.

Nays—Coun. Dowling, Guild—2.

## UNFINISHED MATTERS REFERRED TO 1928.

Coun. DOWD offered the following:

Ordered, That all matters of an unfinished nature pending before the committees of this City Council be referred to the City Council of 1928.

Passed under suspension of the rule.

THANKS TO ACTING PRESIDENT  
FREDERIC E. DOWLING.

Coun. KEENE offered the following:

Resolved, That the thanks of the City Council be extended to Coun. Frederic E. Dowling for the able and impartial manner in which he has presided over the deliberations of the Council during a considerable portion of the year.

The Council passed the resolution by a unanimous rising vote. [Applause.]

City Clerk DONOVAN—I take great pleasure in declaring that the resolution is passed, Mr. President.

Adjourned *sine die*, on motion of Coun. McMAHON, at 1.53 p. m.

On December 31, 1927, after the adjournment of the City Council, the following veto by the Mayor was filed with the City Clerk:

City of Boston,

Office of the Mayor, December 31, 1927.

To the City Council.

Gentlemen,—I return herewith without my approval your order appropriating \$300,000 for the purchase of land and the construction thereon of a second golf course in the City of Boston. A question arises as to the legality of this order if the same is held by the Mayor for consideration beyond the close of the fiscal year. Thus I am called upon in the closing hours of the day to determine upon the advisability of this measure without detailed information.

I deem it wise, therefore, to refer this matter to the special committee appointed last July for the purpose of studying the further playground needs of the city so that there may be available a comprehensive report dealing with this and similar proposed public improvements.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

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